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THE ILLINOIS ARCHITECTURAL ACT

STATE OF ILLINOIS
WILLIAM G. STRATTON
GOVERNOR



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DEPARTMENT OF
REGISTRATION AND EDUCATION
VERA M. BINKS
Director

SPRINGFIELD

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THE ILLINOIS ARCHITECTURAL ACT

AN ACT to provide for the licensing of architects and to regulate the practice of architecture as a profession and to repeal certain Acts therein named. (Approved June 24, 1919. In force July 1, 1919.)

Be it enacted by the People of the State of Illinois, represented in the General Assembly:

Section 1. It shall be unlawful for any person to practice architecture or advertise or put out any sign or card or other device which might indicate to the public that he or she is entitled to practice as an architect, without a certificate of registration as a registered architect, duly issued by the Department of Registration and Education under this Act, and as provided for in the Civil Administrative Code of Illinois.

§ 1a. Nothing in this definition or in this Act shall be deemed or construed to prevent the practice of structural engineering as defined in the Illinois Structural Engineering Act or the practice of professional engineering as defined in the Illinois Professional Engineering Act. (Added by Act approved July 11, 1957.)

§ 2. Architect means a person who is technically qualified and registered under the laws of this State to practice architecture. The practice of architecture within the meaning and intent of this Act includes the offering or furnishing of any professional services such as consultation, planning, aesthetic and structural design, drawings and specifications, or responsible supervision of construction, or erection, in connection with the construction of

any private or public buildings, building structures, building projects, or addition to or alteration thereof. (As amended by Act approved July 11, 1957.)

§ 3. No corporation shall be licensed to practice architecture in this State or be granted a certificate of registration under this Act, but it shall be lawful for a stock company or a corporation to prepare drawings, plans and specifications for buildings and structures as defined in this Act which are constructed, erected, built, or their construction supervised by such stock company or corporation, provided that the chief executive officer or managing agent of such stock company or corporation in the State of Illinois shall be a registered architect under this Act, and provided further that the supervision of such buildings and structures shall be under the personal supervision of said registered architect and that such drawings, plans and specifications shall be prepared under the personal direction and supervision of such registered architect and bear the stamp of his official seal.

It shall be lawful, however, for one or more registered architects to enter a partnership with one or more licensed structural engineers, licensed under the laws of this State, for the practice of their professions.

§ 4. Nothing contained in this Act shall prevent the draftsmen, students, clerks of works, superintendents and other employees of those lawfully practicing as registered architects under the provisions of this Act, from acting under the instruction, control or supervision of their employers, or to prevent the employment of superintendents of the construction, enlargement or alteration of buildings or any parts thereof, or prevent such superintendents from acting under the immediate personal supervision of the registered architect by whom the plans and specifications of any such build-

ing, enlargement or alteration were prepared. Nor shall anything contained in this Act prevent persons, mechanics or builders from making plans, specifications for or supervising the erection, enlargement or alteration of buildings or any parts thereof to be constructed by themselves or their own employees for their own use, provided that the working drawings for such construction are signed by the authors thereof with a true statement thereon of their relation to such construction and that the makers thereof are not architects:

Provided nothing in this Act contained shall be held or construed to have any application to any building, remodeling or repairing of any building or other structure outside of the corporate limits of any city or village, where such building or structure is to be, or is used for residential or farm purposes, or for the purposes of outbuildings or auxiliary buildings in connection with such residential or farm premises; nor shall this Act apply to the construction, remodeling or repairing of any building having 2,000 square feet or less of floor space, except in cases of remodeling involving structural changes the total cost of which exceeds \$10,000, provided that all buildings used by the general public shall come under the requirements of this Act, nor shall this Act apply to interior alterations of existing buildings which do not involve structural changes.

Nothing in this Act shall prevent counties, cities or incorporated areas from making laws or ordinances that are more stringent than those contained in this Act. (As amended by Act approved July 11, 1957.)

§ 4-a. The Department of Registration and Education shall exercise, but subject to the provisions of this Act, the following functions, powers and duties:

(1) Conduct examinations to ascertain the qualifications and fitness of applicants for cer-

tificates of registration as registered architects, and pass upon the qualifications of applicants for reciprocal licenses, certificates and authorities;

(2) Prescribe rules and regulations for a method of examination of candidates;

(3) Prescribe rules and regulations defining what shall constitute a school, college or university, or department of a university, or other institution, reputable and in good standing, and to determine whether or not a school, college or university, or department of a university, or other institution is reputable and in good standing by reference to a compliance with such rules and regulations, and to terminate the approval of such school, college or university or department of a university or other institution as reputable and in good standing for non-compliance with such rules and regulations; provided that no school, college or university, or department of a university or other institution that refuses admittance to applicants solely on account of race, color or creed shall be considered reputable and in good standing;

(4) Establish a standard of preliminary education deemed requisite to admission to a school, college or university, and to require satisfactory proof of the enforcement of such standard by such schools, colleges and universities;

(5) Conduct hearings on proceedings to suspend or revoke or refuse renewal of licenses, certificates or authorities of persons applying for registration or registered under the provisions of this Act and to revoke, suspend or refuse to renew such licenses or certificates or authorities;

(6) Formulate rules and regulations when required in any Act to be administered.

None of the foregoing functions or duties enumerated shall be exercised by the Depart-

ment of Registration and Education except upon the action and report in writing of the Examining Committee which shall be composed of persons designated from time to time by the Director of Registration and Education to take such action and to make such report for the profession involved herein as follows:

Five registered architects, one of whom shall be a member of the architectural faculty of the University of Illinois, and the other four of whom shall be architects, residing in this State, who have been engaged in the practice of Architecture at least ten years.

The action or report in writing of a majority of the Committee designated shall be sufficient authority upon which the Director of Registration and Education may act.

In making the designation of persons to act, the Director shall give due consideration to recommendations by members of the profession and by organizations therein.

Whenever the Director is satisfied that substantial justice has not been done in an examination, he may order re-examinations by the same or other examiners. (As amended by Act approved July 11, 1957.)

§ 5. Any person who is a citizen of the United States and is 21 years of age and of good moral character is qualified for an examination for a certificate of registration as a registered architect, provided he or she has graduated from a high school or secondary school, approved by the Department of Registration and Education, or has completed an equivalent course of study as determined by an examination conducted by the Department of Registration and Education, and has subsequently thereto completed such courses in mathematics, history, language and other subjects, as may be prescribed by such Department, and has had at least 8 years' experience in the office or offices of a registered architect or

architects, or, in lieu of not more than 5 years of such experience, has satisfactorily performed architectural studies in an approved school, college, university or department of a university or other institution, for which the Department may give credit for each year of such architectural studies in lieu of each year of experience required. (As amended by Act approved July 11, 1957.)

§ 6. Upon payment of the required fee, an applicant who is an architect, registered or licensed by examination under the laws of another state or territory of the United States, may, without examination, be granted a certificate of registration as a registered architect by the Department of Registration and Education upon the written approval of the examining committee and Director of the Department upon the following conditions:

(a) that the applicant is at least 21 years of age, of good moral character and temperate habits;

(b) that the requirements for the registration or licensing of architects in the particular state or territory were, at the date of the license, substantially equal to the requirements then in force in this State. (As amended by act approved July 11, 1957.)

§ 7. Every person who desires to obtain a certificate of registration shall apply therefor to the Department of Registration and Education in writing, upon blanks prepared and furnished by the Department of Registration and Education. Each application shall be verified by the applicant under oath and shall be accompanied by the required fee.

§ 8. The Department of Registration and Education shall hold examinations of applicants for certificates of registration as registered architects at such times and places as it may determine. The examination of applicants for

certificates of registration as registered architects shall consist of written and drafting tests supplemented by verbal examination and shall embrace the following subjects:

(a) the planning, designing and construction of buildings;

(b) the strength of building materials;

(c) the principles of sanitation and ventilation as applied to buildings;

(d) the ability of the applicant to make practical application of his knowledge in the ordinary professional work of an architect and in the duties of a supervisor of mechanical work on buildings.

The Department of Registration and Education may by rule prescribe additional subjects for examination. (As amended by Act approved July 11, 1957.)

§ 9. Whenever the provisions of this Act have been complied with by an applicant the Department of Registration and Education shall issue a certificate of registration to the applicant as a registered architect, which certificate shall have the effect of a license to the person to whom it is issued to practice architecture in this State, subject to the provisions of this Act.

Any license or certificate of registration heretofore issued under the laws of this State authorizing its holder to practice architecture shall, during the unexpired period for which it was issued, serve the same purpose as the certificate of registration provided for by this Act.

§ 10. Any person licensed to practice architecture in this State or registered as an architect under this Act shall be exempt from the provisions of any and all Acts in force in this State regulating the practice of structural engineering.

§ 11. Every holder of a certificate of registration as a registered architect shall display

it in a conspicuous place in his principal office.

Every registered architect shall have a seal, the impression of which shall contain the name of the architect and the words "Registered Architect", "State of Illinois". He shall stamp with this seal the first sheet of any bound set and any loose sheets of every set of working drawings and specifications prepared by him or under his supervision. Any seal heretofore authorized under the laws of this State shall serve the same purpose as the seal provided for by this Act. (As amended by Act approved July 11, 1957.)

§ 12. Every registered architect who continues in active practice shall renew his certificate of registration on or before July 1, 1958, and on or before July 1 of each even numbered year thereafter and pay the required renewal fee. Every license or certificate of registration which has not been renewed during the month of July, 1958, or in the month of July of any even numbered year thereafter shall expire on the first day of August of that year. A registered architect whose certificate of registration has expired may have his certificate restored only upon payment of the required restoration fee.

However, any registered architect whose certificate of registration has expired while he has been engaged (1) in federal service on active duty with the Army of the United States, the United States Navy, the Marine Corps, the Coast Guard, or the State Militia called into the service or training of the United States of America, or (2) in training or education under the supervision of the United States preliminary to induction into the military service, may have his certificate of registration restored without paying any lapsed renewal fees or restoration fee if within two years after termination of such service, training or education other than by dishonorable discharge he fur-

nishes the Department with an affidavit to the effect that he has been so engaged and that his service, training or education has been so terminated.

Any architect registered or licensed in this State who has retired from the practice of architecture for a period of not more than 5 years may have his certificate of registration renewed, at any time within a period of 5 years after so retiring, upon making application to the Department for such renewal and upon payment of all lapsed renewal fees. (As amended by Acts approved July 6 and July 11, 1957.)

§ 13. The Department of Registration and Education may refuse to renew, or may suspend, or may revoke, any certificate of registration for any one or any combination of the following causes:

- (a) gross incompetency;
- (b) recklessness in the designing, planning or supervision of construction of buildings or their appurtenances;
- (c) dishonest practice;
- (d) conviction of the second violation of any of the provisions of this Act;
- (e) false or fraudulent representation in obtaining a certificate of registration as an architect;
- (f) conviction of a felony;
- (g) aiding another person to evade the provisions of this Act;
- (h) signing, affixing his seal or permitting his seal to be affixed to any plans, specifications or drawings not prepared by the architect himself or under his personal direction and supervision.

The Department may upon its own motion and shall upon the verified complaint in writing of any person setting forth facts which if

proven would constitute grounds for refusal, suspension or revocation as hereinabove set forth, investigate the actions of any person holding or claiming to hold a certificate. The Department shall, before refusing to issue, suspending or revoking any certificate, at least 10 days prior to the date set for the hearing, notify in writing the applicant or the holder of such certificate of any charges made and shall afford such accused person an opportunity to be heard in person or by counsel in reference thereto. Such written notice may be served by delivery of the same personally to the accused person, or by mailing the same by registered mail to the place of business last theretofore specified by the accused person in his last notification to the Department. At the time and place fixed in the notice, the Examining Committee designated by the Director of Registration and Education, as provided in this Act, shall proceed to hearing of the charges and both the accused person and the complainant shall be accorded ample opportunity to present in person or by counsel, such statements, testimony, evidence and argument as may be pertinent to the charges or to any defense thereto. The Committee may continue such hearing from time to time. If the Committee shall not be sitting at the time and place fixed in the notice or at the time and place to which hearing shall have been continued, the Department shall continue such hearing for a period not to exceed 30 days. (As amended by Act approved July 11, 1957.)

§ 13-a. The Department shall have power to subpoena and bring before it any person in this State and to take testimony either orally or by deposition, or both, with the same fees and mileage and in the same manner as prescribed by law in judicial procedure in civil cases in courts of this State.

The Director, Assistant Director, Superintendent of Registration and any member of the

Examining Committee shall each have power to administer oaths to witnesses at any hearing which the Department is authorized by law to conduct, and any other oaths required or authorized in any Act administered by the Department. (Added by Act approved July 8, 1937.)

§ 13-b. Any Circuit or Superior court or any judge thereof, either in term time or vacation, upon the application of the accused person or complainant or of the Department, may by order duly entered, require the attendance of witnesses and the production of relevant books and papers before the Department in any hearing relative to the application for or refusal, recall, suspension or revocation of certificate of registration, and the court or judge may compel obedience to its or his order by proceedings for contempt. (Added by Act approved July 8, 1937.)

§ 13-c. The Department, at its expense, shall provide a stenographer to take down the testimony and preserve a record of all proceedings at the hearing of any case wherein a certificate is revoked or suspended. The notice of hearing, complaint and all other documents in the nature of pleadings and written motions filed in the proceedings, the transcript of testimony, the report of the Committee and the orders of the Department shall be the record of such proceedings. The Department shall furnish a transcript of such record to any person interested in such hearing upon payment therefor of twenty-five cents per one hundred words for each original transcript and eight cents per one hundred words for each carbon copy thereof ordered with the original: Provided that the charge for any part of such transcript ordered and paid for previous to the writing of the original record thereof shall be eight cents per hundred words. (Added by Act approved July 8, 1937.)

§ 13-d. The committee shall present to the

director its written report of its findings and recommendations. A copy of such report shall be served upon the accused person, either personally or by registered mail as provided in this Act for the service of the citation. Within twenty (20) days after such service, said accused person may present to the Department his motion in writing for a rehearing, which written motion shall specify the particular grounds therefor. If said accused person shall order and pay for a transcript of the record as provided in this section, the time elapsing thereafter and before such transcript is ready for delivery to him shall not be counted as part of such twenty days.

Whenever the Director is satisfied that substantial justice has not been done, he may order a rehearing by the same or another special committee or, if satisfied that sufficient grounds for refusal to issue, or for suspension or revocation do not exist, may order the complaint dismissed. At the expiration of the time specified for filing a motion for a rehearing the Director shall have the right to take the action recommended by the committee. Upon the suspension or revocation of his certificate of registration, a registrant shall be required to surrender his certificate of registration to the Department, and upon his failure or refusal so to do, the Department shall have the right to seize the same. (Added by Act approved July 8, 1937.)

§ 13-e. At any time after the suspension or revocation of any certificate, the Department may restore it to the accused person without examination, upon the written recommendation of the examining Committee. (Added by Act approved July 8, 1937.)

§ 13-f. All final administrative decisions of the Department hereunder shall be subject to judicial review pursuant to the provisions of the "Administrative Review Act", approved

May 8, 1945, and all amendments and modifications thereof, and the rules adopted pursuant thereto. The term "administrative decision" is defined as in Section 1 of the "Administrative Review Act."

Such proceedings for judicial review shall be commenced in the Circuit or Superior Court of the county in which the party applying for review resides; provided, that if such party is not a resident of this State, the venue shall be in Sangamon County.

The Department shall not be required to certify any record or file any answer or otherwise appear hereunder unless the party filing the complaint deposits with the clerk of the court the sum of five cents per hundred words representing costs of such certification. Failure on the part of the plaintiff to make such deposit shall be grounds for dismissal of the action. (As amended by Act approved July 30, 1949.)

§ 13-g. An order of revocation or suspension or a certified copy thereof, over the seal of the Department and purporting to be signed by the Director shall be prima facie proof that

1. Such signature is the genuine signature of the Director.

2. That such Director is duly appointed and qualified.

3. That the Committee and the members thereof are qualified to act.

Such proof may be rebutted. (As amended by Act approved July 30, 1949.)

§ 13-h. Appeals from all final orders and judgments entered by a Circuit or Superior court in review of a final administrative decision of the Department may be taken directly to the Supreme Court by either party to the action and shall be governed by the rules applying to other civil cases appealed to said Supreme Court. (As amended by Act approved July 30, 1949.)

§ 13-i. (Repealed. Act approved July 30, 1949.)

§ 14. The fee to be paid by an applicant for an examination to determine his fitness to receive a certificate of registration as a registered architect shall be \$10.

The fee to be paid by an applicant for a certificate of registration as a registered architect shall be \$5.

The fee to be paid for the restoration of an expired certificate of registration shall be \$5.

The fee to be paid upon renewal of a certificate of registration shall be \$20.

The fee to be paid by an applicant for a certificate of registration who is an architect registered or licensed under the laws of another State or territory of the United States, or of a foreign country or province, shall be \$25. (As amended by Act approved July 6, 1957.)

§ 14. The fee to be paid by an applicant for an examination to determine his fitness to receive a certificate of registration as a registered architect is \$25.

The fee to be paid by an applicant for a certificate of registration as a registered architect is \$5.

The fee to be paid for the restoration of an expired certificate of registration is \$5 and in addition thereto \$5 for each year such certificate was not in full force and effect except if in the discretion of the Director there exists a meritorious cause for the applicant not having renewed at the proper time.

The fee to be paid upon renewal of a certificate of registration is \$20.

The fee to be paid by an applicant for a certificate of registration who is an architect registered or licensed under the laws of another state or territory of the United States or of a foreign country or province is \$25. (As amended by Act approved July 11, 1957.)

§ 15. (Repealed by Act approved July 8, 1937.)

§ 15a. No person shall practice architecture or render any of the professional services for which a certificate of registration is required by this Act without having, in effect, such a certificate of registration. The Director of the Department of Registration and Education may, in the name of the people of the State of Illinois through the Attorney General of the State of Illinois or the State's Attorney of any county in which such practice has occurred, file a complaint in equity to enjoin such unlawful acts and to enjoin the further construction of any building for which such person has prepared the plans. Upon the filing of a verified petition in such cause, the court, if satisfied by affidavit or otherwise that such person is or has been practicing architecture in violation of this Act, may issue a temporary injunction without notice or bond, enjoining the defendant or defendants from further practicing architecture or continuing the construction of the building, or both, and further enjoining the construction of any building or structure where the plans, specifications, design or drawings have been prepared by a person practicing architecture in violation of this Act.

If it is established that a defendant has been or is practicing architecture without a valid, effective certificate of registration, the court may enter a decree perpetually enjoining the defendant from further practicing architecture. In case of violation of any injunction issued under the provisions of this section, the court may summarily try and punish the offender for contempt of court. Such injunction proceedings shall be in addition to and not in lieu of all penalties and other remedies provided in this Act. (Added by Act approved July 11, 1957.)

§ 16. Each of the following Acts constitutes a misdemeanor punishable upon conviction for

the first offense by a fine of not less than \$200 nor more than \$500 or by imprisonment for not more than 6 months, or both, and for a second offense by a fine of not less than \$200 nor more than \$500 or by imprisonment for not more than one year, or both, for each offense, each day of continuing violation constituting a separate offense:

(a) the practice of architecture by any person or the advertising or putting out of any sign or card or other device which might indicate to the public that he or she is entitled to practice as an architect, without a certificate of registration as a registered architect issued by the Department of Registration and Education of this State;

(b) the making of any wilfully false oath or affirmation in any matter or proceeding where an oath or affirmation is required by this Act;

(c) the affixing of a registered architect's seal to any plans, specifications or drawings which have not been prepared by him or under his immediate personal supervision;

(d) the violation of any provision of this Act;

(e) using or attempting to use an expired or revoked certificate of registration.

All fines and penalties shall inure to the county in which the violation occurs. (As amended by Act approved July 11, 1957.)

§ 17. The Department of Registration and Education shall keep a record open to public inspection at all reasonable times of its proceedings relating to the issuance, refusal, renewal, suspension or revocation of certificates of registration. This record shall also contain the name, place of business and residence, and the date and number of registration of each registered architect in this State.

The Department of Registration and Education shall make available, not less than 30

days before examination dates, a list of all applications for registration. (As amended by Act approved July 11, 1957.)

§ 18. The following Acts are hereby repealed: "An Act to provide for the licensing of architects and regulating the practice of architecture as a profession," approved June 3, 1897, and in force July 1, 1897, and the following Acts amendatory thereof, to-wit: An Act approved April 19, 1899, and in force July 1, 1899. An Act approved May 16, 1905, and in force July 1, 1905, and an Act approved May 26, 1911, and in force July 1, 1911.

§ 19. This Act may be known and cited as "The Illinois Architectural Act."

§ 20. The provisions of this Act are separable, and an adjudication that one or more provisions are invalid shall not affect the validity of any other provision. (Added by Act approved July 11, 1957.)



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It shall be lawful, however, for one or more registered architects to enter a partnership with one or more licensed structural engineers, licensed under the laws of this State, for the practice of their professions.

§ 4. Nothing contained in this Act shall prevent the draftsmen, students, clerks of works, superintendents and other employees of those lawfully practicing as registered architects under the provisions of this Act, from acting under the instruction, control or supervision of their employers, or to prevent the employment of superintendents of the construction, enlargement or alteration of buildings or any parts thereof, or prevent such superintendents from acting under the immediate personal supervision of the registered architect by whom the plans and specifications of any such build-

ing, enlargement or alteration were prepared. Nor shall anything contained in this Act prevent persons, mechanics or builders from making plans, specifications for or supervising the erection, enlargement or alteration of buildings or any parts thereof to be constructed by themselves or their own employees for their own use, provided that the working drawings for such construction are signed by the authors thereof with a true statement thereon of their relation to such construction and that the makers thereof are not architects:

Provided nothing in this Act contained shall be held or construed to have any application to any building, remodeling or repairing of any building or other structure outside of the corporate limits of any city or village, where such building or structure is to be, or is used for residential or farm purposes, or for the purposes of outbuildings or auxiliary buildings in connection with such residential or farm premises; nor shall this Act apply to the construction, remodeling or repairing of any building having 2,000 square feet or less of floor space, except in cases of remodeling involving structural changes the total cost of which exceeds \$10,000, provided that all buildings used by the general public shall come under the requirements of this Act, nor shall this Act apply to interior alterations of existing buildings which do not involve structural changes.

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tificates of registration as registered architects, and pass upon the qualifications of applicants for reciprocal licenses, certificates and authorities;

(2) Prescribe rules and regulations for a method of examination of candidates;

(3) Prescribe rules and regulations defining what shall constitute a school, college or university, or department of a university, or other institution, reputable and in good standing, and to determine whether or not a school, college or university, or department of a university, or other institution is reputable and in good standing by reference to a compliance with such rules and regulations, and to terminate the approval of such school, college or university or department of a university or other institution as reputable and in good standing for non-compliance with such rules and regulations; provided that no school, college or university, or department of a university or other institution that refuses admittance to applicants solely on account of race, color or creed shall be considered reputable and in good standing;

(4) Establish a standard of preliminary education deemed requisite to admission to a school, college or university, and to require satisfactory proof of the enforcement of such standard by such schools, colleges and universities;

(5) Conduct hearings on proceedings to suspend or revoke or refuse renewal of licenses, certificates or authorities of persons applying for registration or registered under the provisions of this Act and to revoke, suspend or refuse to renew such licenses or certificates or authorities;

(6) Formulate rules and regulations when required in any Act to be administered.

None of the foregoing functions or duties enumerated shall be exercised by the Depart-

ment of Registration and Education except upon the action and report in writing of the Examining Committee which shall be composed of persons designated from time to time by the Director of Registration and Education to take such action and to make such report for the profession involved herein as follows:

Five registered architects, one of whom shall be a member of the architectural faculty of the University of Illinois, and the other four of whom shall be architects, residing in this State, who have been engaged in the practice of Architecture at least ten years.

The action or report in writing of a majority of the Committee designated shall be sufficient authority upon which the Director of Registration and Education may act.

In making the designation of persons to act, the Director shall give due consideration to recommendations by members of the profession and by organizations therein.

Whenever the Director is satisfied that substantial justice has not been done in an examination, he may order re-examinations by the same or other examiners. (As amended by Act approved July 11, 1957.)

§ 5. Any person who is a citizen of the United States and is 21 years of age and of good moral character is qualified for an examination for a certificate of registration as a registered architect, provided he or she has graduated from a high school or secondary school, approved by the Department of Registration and Education, or has completed an equivalent course of study as determined by an examination conducted by the Department of Registration and Education, and has subsequently thereto completed such courses in mathematics, history, language and other subjects, as may be prescribed by such Department, and has had at least 8 years' experience in the office or offices of a registered architect or

architects, or, in lieu of not more than 5 years of such experience, has satisfactorily performed architectural studies in an approved school, college, university or department of a university or other institution, for which the Department may give credit for each year of such architectural studies in lieu of each year of experience required. (As amended by Act approved July 11, 1957.)

§ 6. Upon payment of the required fee, an applicant who is an architect, registered or licensed by examination under the laws of another state or territory of the United States, may, without examination, be granted a certificate of registration as a registered architect by the Department of Registration and Education upon the written approval of the examining committee and Director of the Department upon the following conditions:

(a) that the applicant is at least 21 years of age, of good moral character and temperate habits;

(b) that the requirements for the registration or licensing of architects in the particular state or territory were, at the date of the license, substantially equal to the requirements then in force in this State. (As amended by act approved July 11, 1957.)

§ 7. Every person who desires to obtain a certificate of registration shall apply therefor to the Department of Registration and Education in writing, upon blanks prepared and furnished by the Department of Registration and Education. Each application shall be verified by the applicant under oath and shall be accompanied by the required fee.

§ 8. The Department of Registration and Education shall hold examinations of applicants for certificates of registration as registered architects at such times and places as it may determine. The examination of applicants for

certificates of registration as registered architects shall consist of written and drafting tests supplemented by verbal examination and shall embrace the following subjects:

(a) the planning, designing and construction of buildings;

(b) the strength of building materials;

(c) the principles of sanitation and ventilation as applied to buildings;

(d) the ability of the applicant to make practical application of his knowledge in the ordinary professional work of an architect and in the duties of a supervisor of mechanical work on buildings.

The Department of Registration and Education may by rule prescribe additional subjects for examination. (As amended by Act approved July 11, 1957.)

§ 9. Whenever the provisions of this Act have been complied with by an applicant the Department of Registration and Education shall issue a certificate of registration to the applicant as a registered architect, which certificate shall have the effect of a license to the person to whom it is issued to practice architecture in this State, subject to the provisions of this Act.

Any license or certificate of registration heretofore issued under the laws of this State authorizing its holder to practice architecture shall, during the unexpired period for which it was issued, serve the same purpose as the certificate of registration provided for by this Act.

§ 10. Any person licensed to practice architecture in this State or registered as an architect under this Act shall be exempt from the provisions of any and all Acts in force in this State regulating the practice of structural engineering.

§ 11. Every holder of a certificate of registration as a registered architect shall display

it in a conspicuous place in his principal office.

Every registered architect shall have a seal, the impression of which shall contain the name of the architect and the words "Registered Architect", "State of Illinois". He shall stamp with this seal the first sheet of any bound set and any loose sheets of every set of working drawings and specifications prepared by him or under his supervision. Any seal heretofore authorized under the laws of this State shall serve the same purpose as the seal provided for by this Act. (As amended by Act approved July 11, 1957.)

§ 12. Every registered architect who continues in active practice shall renew his certificate of registration on or before July 1, 1958, and on or before July 1 of each even numbered year thereafter and pay the required renewal fee. Every license or certificate of registration which has not been renewed during the month of July, 1958, or in the month of July of any even numbered year thereafter shall expire on the first day of August of that year. A registered architect whose certificate of registration has expired may have his certificate restored only upon payment of the required restoration fee.

However, any registered architect whose certificate of registration has expired while he has been engaged (1) in federal service on active duty with the Army of the United States, the United States Navy, the Marine Corps, the Coast Guard, or the State Militia called into the service or training of the United States of America, or (2) in training or education under the supervision of the United States preliminary to induction into the military service, may have his certificate of registration restored without paying any lapsed renewal fees or restoration fee if within two years after termination of such service, training or education other than by dishonorable discharge he fur-

nishes the Department with an affidavit to the effect that he has been so engaged and that his service, training or education has been so terminated.

Any architect registered or licensed in this State who has retired from the practice of architecture for a period of not more than 5 years may have his certificate of registration renewed, at any time within a period of 5 years after so retiring, upon making application to the Department for such renewal and upon payment of all lapsed renewal fees. (As amended by Acts approved July 6 and July 11, 1957.)

§ 13. The Department of Registration and Education may refuse to renew, or may suspend, or may revoke, any certificate of registration for any one or any combination of the following causes:

- (a) gross incompetency;
- (b) recklessness in the designing, planning or supervision of construction of buildings or their appurtenances;
- (c) dishonest practice;
- (d) conviction of the second violation of any of the provisions of this Act;
- (e) false or fraudulent representation in obtaining a certificate of registration as an architect;
- (f) conviction of a felony;
- (g) aiding another person to evade the provisions of this Act;
- (h) signing, affixing his seal or permitting his seal to be affixed to any plans, specifications or drawings not prepared by the architect himself or under his personal direction and supervision.

The Department may upon its own motion and shall upon the verified complaint in writing of any person setting forth facts which if

proven would constitute grounds for refusal, suspension or revocation as hereinabove set forth, investigate the actions of any person holding or claiming to hold a certificate. The Department shall, before refusing to issue, suspending or revoking any certificate, at least 10 days prior to the date set for the hearing, notify in writing the applicant or the holder of such certificate of any charges made and shall afford such accused person an opportunity to be heard in person or by counsel in reference thereto. Such written notice may be served by delivery of the same personally to the accused person, or by mailing the same by registered mail to the place of business last theretofore specified by the accused person in his last notification to the Department. At the time and place fixed in the notice, the Examining Committee designated by the Director of Registration and Education, as provided in this Act, shall proceed to hearing of the charges and both the accused person and the complainant shall be accorded ample opportunity to present in person or by counsel, such statements, testimony, evidence and argument as may be pertinent to the charges or to any defense thereto. The Committee may continue such hearing from time to time. If the Committee shall not be sitting at the time and place fixed in the notice or at the time and place to which hearing shall have been continued, the Department shall continue such hearing for a period not to exceed 30 days. (As amended by Act approved July 11, 1957.)

§ 13-a. The Department shall have power to subpoena and bring before it any person in this State and to take testimony either orally or by deposition, or both, with the same fees and mileage and in the same manner as prescribed by law in judicial procedure in civil cases in courts of this State.

The Director, Assistant Director, Superintendent of Registration and any member of the

Examining Committee shall each have power to administer oaths to witnesses at any hearing which the Department is authorized by law to conduct, and any other oaths required or authorized in any Act administered by the Department. (Added by Act approved July 8, 1937.)

§ 13-b. Any Circuit or Superior court or any judge thereof, either in term time or vacation, upon the application of the accused person or complainant or of the Department, may by order duly entered, require the attendance of witnesses and the production of relevant books and papers before the Department in any hearing relative to the application for or refusal, recall, suspension or revocation of certificate of registration, and the court or judge may compel obedience to its or his order by proceedings for contempt. (Added by Act approved July 8, 1937.)

§ 13-c. The Department, at its expense, shall provide a stenographer to take down the testimony and preserve a record of all proceedings at the hearing of any case wherein a certificate is revoked or suspended. The notice of hearing, complaint and all other documents in the nature of pleadings and written motions filed in the proceedings, the transcript of testimony, the report of the Committee and the orders of the Department shall be the record of such proceedings. The Department shall furnish a transcript of such record to any person interested in such hearing upon payment therefor of twenty-five cents per one hundred words for each original transcript and eight cents per one hundred words for each carbon copy thereof ordered with the original: Provided that the charge for any part of such transcript ordered and paid for previous to the writing of the original record thereof shall be eight cents per hundred words. (Added by Act approved July 8, 1937.)

§ 13-d. The committee shall present to the

director its written report of its findings and recommendations. A copy of such report shall be served upon the accused person, either personally or by registered mail as provided in this Act for the service of the citation. Within twenty (20) days after such service, said accused person may present to the Department his motion in writing for a rehearing, which written motion shall specify the particular grounds therefor. If said accused person shall order and pay for a transcript of the record as provided in this section, the time elapsing thereafter and before such transcript is ready for delivery to him shall not be counted as part of such twenty days.

Whenever the Director is satisfied that substantial justice has not been done, he may order a rehearing by the same or another special committee or, if satisfied that sufficient grounds for refusal to issue, or for suspension or revocation do not exist, may order the complaint dismissed. At the expiration of the time specified for filing a motion for a rehearing the Director shall have the right to take the action recommended by the committee. Upon the suspension or revocation of his certificate of registration, a registrant shall be required to surrender his certificate of registration to the Department, and upon his failure or refusal so to do, the Department shall have the right to seize the same. (Added by Act approved July 8, 1937.)

§ 13-e. At any time after the suspension or revocation of any certificate, the Department may restore it to the accused person without examination, upon the written recommendation of the examining Committee. (Added by Act approved July 8, 1937.)

§ 13-f. All final administrative decisions of the Department hereunder shall be subject to judicial review pursuant to the provisions of the "Administrative Review Act", approved

May 8, 1945, and all amendments and modifications thereof, and the rules adopted pursuant thereto. The term "administrative decision" is defined as in Section 1 of the "Administrative Review Act."

Such proceedings for judicial review shall be commenced in the Circuit or Superior Court of the county in which the party applying for review resides; provided, that if such party is not a resident of this State, the venue shall be in Sangamon County.

The Department shall not be required to certify any record or file any answer or otherwise appear hereunder unless the party filing the complaint deposits with the clerk of the court the sum of five cents per hundred words representing costs of such certification. Failure on the part of the plaintiff to make such deposit shall be grounds for dismissal of the action. (As amended by Act approved July 30, 1949.)

§ 13-g. An order of revocation or suspension or a certified copy thereof, over the seal of the Department and purporting to be signed by the Director shall be prima facie proof that

1. Such signature is the genuine signature of the Director.

2. That such Director is duly appointed and qualified.

3. That the Committee and the members thereof are qualified to act.

Such proof may be rebutted. (As amended by Act approved July 30, 1949.)

§ 13-h. Appeals from all final orders and judgments entered by a Circuit or Superior court in review of a final administrative decision of the Department may be taken directly to the Supreme Court by either party to the action and shall be governed by the rules applying to other civil cases appealed to said Supreme Court. (As amended by Act approved July 30, 1949.)

§ 13-i. (Repealed. Act approved July 30, 1949.)

§ 14. The fee to be paid by an applicant for an examination to determine his fitness to receive a certificate of registration as a registered architect is \$25.

The fee to be paid by an applicant for a certificate of registration as a registered architect is \$5.

The fee to be paid for the restoration of an expired certificate of registration is \$5 and in addition thereto \$5 for each year such certificate was not in full force and effect except if in the discretion of the Director there exists a meritorious cause for the applicant not having renewed at the proper time.

The fee to be paid upon renewal of a certificate of registration is \$20.

The fee to be paid by an applicant for a certificate of registration who is an architect registered or licensed under the laws of another state or territory of the United States or of a foreign country or province is \$25. (Amended by Act approved July 24, 1959)

§ 15. (Repealed by Act approved July 8, 1937.)

§ 15a. No person shall practice architecture or render any of the professional services for which a certificate of registration is required by this Act without having, in effect, such a certificate of registration. The Director of the Department of Registration and Education may, in the name of the people of the State of Illinois through the Attorney General of the State of Illinois or the State's Attorney of any county in which such practice has occurred, file a complaint in equity to enjoin such unlawful acts and to enjoin the further construction of any building for which such person has prepared the plans. Upon the filing of a verified

petition in such cause, the court, if satisfied by affidavit or otherwise that such person is or has been practicing architecture in violation of this Act, may issue a temporary injunction without notice or bond, enjoining the defendant or defendants from further practicing architecture or continuing the construction of the building, or both, and further enjoining the construction of any building or structure where the plans, specifications, design or drawings have been prepared by a person practicing architecture in violation of this Act.

If it is established that a defendant has been or is practicing architecture without a valid, effective certificate of registration, the court may enter a decree perpetually enjoining the defendant from further practicing architecture. In case of violation of any injunction issued under the provisions of this section, the court may summarily try and punish the offender for contempt of court. Such injunction proceedings shall be in addition to and not in lieu of all penalties and other remedies provided in this Act. (Added by Act approved July 11, 1957.)

§ 16. Each of the following Acts constitutes a misdemeanor punishable upon conviction for the first offense by a fine of not less than \$200 nor more than \$500 or by imprisonment for not more than 6 months, or both, and for a second offense by a fine of not less than \$200 nor more than \$500 or by imprisonment for not more than one year, or both, for each offense, each day of continuing violation constituting a separate offense:

(a) the practice of architecture by any person or the advertising or putting out of any sign or card or other device which might indicate to the public that he or she is entitled to practice as an architect, without a certificate of registration as a registered architect issued by the Department of Registration and Education of this State;

(b) the making of any wilfully false oath or affirmation in any matter or proceeding where an oath or affirmation is required by this Act;

(c) the affixing of a registered architect's seal to any plans, specifications or drawings which have not been prepared by him or under his immediate personal supervision;

(d) the violation of any provision of this Act;

(e) using or attempting to use an expired or revoked certificate of registration.

All fines and penalties shall inure to the county in which the violation occurs. (As amended by Act approved July 11, 1957.)

§ 17. The Department of Registration and Education shall keep a record open to public inspection at all reasonable times of its proceedings relating to the issuance, refusal, renewal, suspension or revocation of certificates of registration. This record shall also contain the name, place of business and residence, and the date and number of registration of each registered architect in this State.

The Department of Registration and Education shall make available, not less than 30 days before examination dates, a list of all applications for registration. (As amended by Act approved July 11, 1957.)

§ 18. The following Acts are hereby repealed: "An Act to provide for the licensing of architects and regulating the practice of architecture as a profession," approved June 3, 1897, and in force July 1, 1897, and the following Acts amendatory thereof, to-wit: An Act approved April 19, 1899, and in force July 1, 1899. An Act approved May 16, 1905, and in force July 1, 1905, and an Act approved May 26, 1911, and in force July 1, 1911.

§ 19. This Act may be known and cited as "The Illinois Architectural Act."

§ 20. The provisions of this Act are separable, and an adjudication that one or more provisions are invalid shall not affect the validity of any other provision. (Added by Act approved July 11, 1957.)



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THE ILLINOIS ARCHITECTURAL ACT

STATE OF ILLINOIS
OTTO KERNER, Governor



DEPARTMENT OF
REGISTRATION AND EDUCATION
WILLIAM SYLVESTER WHITE
Director

SPRINGFIELD
1961

(Printed by authority of the State of Illinois)

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THE ILLINOIS ARCHITECTURAL ACT

AN ACT to provide for the licensing of architects and to regulate the practice of architecture as a profession and to repeal certain Acts therein named. (Approved June 24, 1919. In force July 1, 1919.)

Be it enacted by the People of the State of Illinois, represented in the General Assembly:

Section 1. It shall be unlawful for any person to practice architecture or advertise or put out any sign or card or other device which might indicate to the public that he or she is entitled to practice as an architect, without a certificate of registration as a registered architect, duly issued by the Department of Registration and Education under this Act, and as provided for in the Civil Administrative Code of Illinois.

§ 1a. Nothing in this definition or in this Act shall be deemed or construed to prevent the practice of structural engineering as defined in the Illinois Structural Engineering Act or the practice of professional engineering as defined in the Illinois Professional Engineering Act. (Added by Act approved July 11, 1957.)

§ 2. Architect means a person who is technically qualified and registered under the laws of this State to practice architecture. The practice of architecture within the meaning and intent of this Act includes the offering or furnishing of any professional services such as consultation, planning, aesthetic and structural design, drawings and specifications, or responsible supervision of construction, or erection, in connection with the construction of

any private or public buildings, building structures, building projects, or addition to or alteration thereof. (As amended by Act approved July 11, 1957.)

§ 3. No corporation shall be licensed to practice architecture in this State or be granted a certificate of registration under this Act, but it shall be lawful for a stock company or a corporation to prepare drawings, plans and specifications for buildings and structures as defined in this Act which are constructed, erected, built, or their construction supervised by such stock company or corporation, provided that the chief executive officer or managing agent of such stock company or corporation in the State of Illinois shall be a registered architect under this Act, and provided further that the supervision of such buildings and structures shall be under the personal supervision of said registered architect and that such drawings, plans and specifications shall be prepared under the personal direction and supervision of such registered architect and bear the stamp of his official seal.

It shall be lawful, however, for one or more registered architects to enter a partnership with one or more licensed structural engineers, licensed under the laws of this State, for the practice of their professions.

§ 4. Nothing contained in this Act shall prevent the draftsmen, students, clerks of works, superintendents and other employees of those lawfully practicing as registered architects under the provisions of this Act, from acting under the instruction, control or supervision of their employers, or to prevent the employment of superintendents of the construction, enlargement or alteration of buildings or any parts thereof, or prevent such superintendents from acting under the immediate personal supervision of the registered architect by whom the plans and specifications of any such build-

ing, enlargement or alteration were prepared. Nor shall anything contained in this Act prevent persons, mechanics or builders from making plans, specifications for or supervising the erection, enlargement or alteration of buildings or any parts thereof to be constructed by themselves or their own employees for their own use, provided that the working drawings for such construction are signed by the authors thereof with a true statement thereon of their relation to such construction and that the makers thereof are not architects:

Provided nothing in this Act contained shall be held or construed to have any application to any building, remodeling or repairing of any building or other structure outside of the corporate limits of any city or village, where such building or structure is to be, or is used for residential or farm purposes, or for the purposes of outbuildings or auxiliary buildings in connection with such residential or farm premises; nor shall this Act apply to the construction, remodeling or repairing of any building having 2,000 square feet or less of floor space, except in cases of remodeling involving structural changes the total cost of which exceeds \$10,000, provided that all buildings used by the general public shall come under the requirements of this Act, nor shall this Act apply to interior alterations of existing buildings which do not involve structural changes.

Nothing in this Act shall prevent counties, cities or incorporated areas from making laws or ordinances that are more stringent than those contained in this Act. (As amended by Act approved July 11, 1957.)

§ 4-a. The Department of Registration and Education shall exercise, but subject to the provisions of this Act, the following functions, powers and duties:

(1) Conduct examinations to ascertain the qualifications and fitness of applicants for cer-

tificates of registration as registered architects, and pass upon the qualifications of applicants for reciprocal licenses, certificates and authorities;

(2) Prescribe rules and regulations for a method of examination of candidates;

(3) Prescribe rules and regulations defining what shall constitute a school, college or university, or department of a university, or other institution, reputable and in good standing, and to determine whether or not a school, college or university, or department of a university, or other institution is reputable and in good standing by reference to a compliance with such rules and regulations, and to terminate the approval of such school, college or university or department of a university or other institution as reputable and in good standing for non-compliance with such rules and regulations; provided that no school, college or university, or department of a university or other institution that refuses admittance to applicants solely on account of race, color or creed shall be considered reputable and in good standing;

(4) Establish a standard of preliminary education deemed requisite to admission to a school, college or university, and to require satisfactory proof of the enforcement of such standard by such schools, colleges and universities;

(5) Conduct hearings on proceedings to suspend or revoke or refuse renewal of licenses, certificates or authorities of persons applying for registration or registered under the provisions of this Act and to revoke, suspend or refuse to renew such licenses or certificates or authorities;

(6) Formulate rules and regulations when required in any Act to be administered.

None of the foregoing functions or duties enumerated shall be exercised by the Depart-

ment of Registration and Education except upon the action and report in writing of the Examining Committee which shall be composed of persons designated from time to time by the Director of Registration and Education to take such action and to make such report for the profession involved herein as follows:

Five registered architects, one of whom shall be a member of the architectural faculty of the University of Illinois, and the other four of whom shall be architects, residing in this State, who have been engaged in the practice of Architecture at least ten years.

The action or report in writing of a majority of the Committee designated shall be sufficient authority upon which the Director of Registration and Education may act.

In making the designation of persons to act, the Director shall give due consideration to recommendations by members of the profession and by organizations therein.

Whenever the Director is satisfied that substantial justice has not been done in an examination, he may order re-examinations by the same or other examiners. (As amended by Act approved July 11, 1957.)

§ 5. Any person who is a citizen of the United States and is 21 years of age and of good moral character is qualified for an examination for a certificate of registration as a registered architect, provided he or she has graduated from a high school or secondary school, approved by the Department of Registration and Education, or has completed an equivalent course of study as determined by an examination conducted by the Department of Registration and Education, and has subsequently thereto completed such courses in mathematics, history, language and other subjects, as may be prescribed by such Department, and has had at least 8 years' experience in the office or offices of a registered architect or

architects, or, in lieu of not more than 5 years of such experience, has satisfactorily performed architectural studies in an approved school, college, university or department of a university or other institution, for which the Department may give credit for each year of such architectural studies in lieu of each year of experience required. (As amended by Act approved July 11, 1957.)

§ 6. Upon payment of the required fee, an applicant who is an architect, registered or licensed by examination under the laws of another state or territory of the United States, may, without examination, be granted a certificate of registration as a registered architect by the Department of Registration and Education upon the written approval of the examining committee and Director of the Department upon the following conditions:

(a) that the applicant is at least 21 years of age, of good moral character and temperate habits;

(b) that the requirements for the registration or licensing of architects in the particular state or territory were, at the date of the license, substantially equal to the requirements then in force in this State. (As amended by act approved July 11, 1957.)

§ 7. Every person who desires to obtain a certificate of registration shall apply therefor to the Department of Registration and Education in writing, upon blanks prepared and furnished by the Department of Registration and Education. Each application shall be verified by the applicant under oath and shall be accompanied by the required fee.

§ 8. The Department of Registration and Education shall hold examinations of applicants for certificates of registration as registered architects at such times and places as it may determine. The examination of applicants for

certificates of registration as registered architects shall consist of written and drafting tests supplemented by verbal examination and shall embrace the following subjects:

(a) the planning, designing and construction of buildings;

(b) the strength of building materials;

(c) the principles of sanitation and ventilation as applied to buildings;

(d) the ability of the applicant to make practical application of his knowledge in the ordinary professional work of an architect and in the duties of a supervisor of mechanical work on buildings.

The Department of Registration and Education may by rule prescribe additional subjects for examination. (As amended by Act approved July 11, 1957.)

§ 9. Whenever the provisions of this Act have been complied with by an applicant the Department of Registration and Education shall issue a certificate of registration to the applicant as a registered architect, which certificate shall have the effect of a license to the person to whom it is issued to practice architecture in this State, subject to the provisions of this Act.

Any license or certificate of registration heretofore issued under the laws of this State authorizing its holder to practice architecture shall, during the unexpired period for which it was issued, serve the same purpose as the certificate of registration provided for by this Act.

§ 10. Any person licensed to practice architecture in this State or registered as an architect under this Act shall be exempt from the provisions of any and all Acts in force in this State regulating the practice of structural engineering.

§ 11. Every holder of a certificate of registration as a registered architect shall display

it in a conspicuous place in his principal office.

Every registered architect shall have a seal, the impression of which shall contain the name of the architect and the words "Registered Architect", "State of Illinois". He shall stamp with this seal the first sheet of any bound set and any loose sheets of every set of working drawings and specifications prepared by him or under his supervision. Any seal heretofore authorized under the laws of this State shall serve the same purpose as the seal provided for by this Act. (As amended by Act approved July 11, 1957.)

§ 12. Every registered architect who continues in active practice shall renew his certificate of registration on or before July 1, 1958, and on or before July 1 of each even numbered year thereafter and pay the required renewal fee. Every license or certificate of registration which has not been renewed during the month of July, 1958, or in the month of July of any even numbered year thereafter shall expire on the first day of August of that year. A registered architect whose certificate of registration has expired may have his certificate restored only upon payment of the required restoration fee.

However, any registered architect whose certificate of registration has expired while he has been engaged (1) in federal service on active duty with the Army of the United States, the United States Navy, the Marine Corps, the Coast Guard, or the State Militia called into the service or training of the United States of America, or (2) in training or education under the supervision of the United States preliminary to induction into the military service, may have his certificate of registration restored without paying any lapsed renewal fees or restoration fee if within two years after termination of such service, training or education other than by dishonorable discharge he fur-

nishes the Department with an affidavit to the effect that he has been so engaged and that his service, training or education has been so terminated.

Any architect registered or licensed in this State who has retired from the practice of architecture for a period of not more than 5 years may have his certificate of registration renewed, at any time within a period of 5 years after so retiring, upon making application to the Department for such renewal and upon payment of all lapsed renewal fees. (As amended by Acts approved July 6 and July 11, 1957.)

§ 13. The Department of Registration and Education may refuse to renew, or may suspend, or may revoke, any certificate of registration for any one or any combination of the following causes:

- (a) gross incompetency;
- (b) recklessness in the designing, planning or supervision of construction of buildings or their appurtenances;
- (c) dishonest practice;
- (d) conviction of the second violation of any of the provisions of this Act;
- (e) false or fraudulent representation in obtaining a certificate of registration as an architect;
- (f) conviction of a felony;
- (g) aiding another person to evade the provisions of this Act;
- (h) signing, affixing his seal or permitting his seal to be affixed to any plans, specifications or drawings not prepared by the architect himself or under his personal direction and supervision.

The Department may upon its own motion and shall upon the verified complaint in writing of any person setting forth facts which if

proven would constitute grounds for refusal, suspension or revocation as hereinabove set forth, investigate the actions of any person holding or claiming to hold a certificate. The Department shall, before refusing to issue, suspending or revoking any certificate, at least 10 days prior to the date set for the hearing, notify in writing the applicant or the holder of such certificate of any charges made and shall afford such accused person an opportunity to be heard in person or by counsel in reference thereto. Such written notice may be served by delivery of the same personally to the accused person, or by mailing the same by registered mail to the place of business last theretofore specified by the accused person in his last notification to the Department. At the time and place fixed in the notice, the Examining Committee designated by the Director of Registration and Education, as provided in this Act, shall proceed to hearing of the charges and both the accused person and the complainant shall be accorded ample opportunity to present in person or by counsel, such statements, testimony, evidence and argument as may be pertinent to the charges or to any defense thereto. The Committee may continue such hearing from time to time. If the Committee shall not be sitting at the time and place fixed in the notice or at the time and place to which hearing shall have been continued, the Department shall continue such hearing for a period not to exceed 30 days. (As amended by Act approved July 11, 1957.)

§ 13-a. The Department shall have power to subpoena and bring before it any person in this State and to take testimony either orally or by deposition, or both, with the same fees and mileage and in the same manner as prescribed by law in judicial procedure in civil cases in courts of this State.

The Director, Assistant Director, Superintendent of Registration and any member of the

Examining Committee shall each have power to administer oaths to witnesses at any hearing which the Department is authorized by law to conduct, and any other oaths required or authorized in any Act administered by the Department. (Added by Act approved July 8, 1937.)

§ 13-b. Any Circuit or Superior court or any judge thereof, either in term time or vacation, upon the application of the accused person or complainant or of the Department, may by order duly entered, require the attendance of witnesses and the production of relevant books and papers before the Department in any hearing relative to the application for or refusal, recall, suspension or revocation of certificate of registration, and the court or judge may compel obedience to its or his order by proceedings for contempt. (Added by Act approved July 8, 1937.)

§ 13-c. The Department, at its expense, shall provide a stenographer to take down the testimony and preserve a record of all proceedings at the hearing of any case wherein a certificate is revoked or suspended. The notice of hearing, complaint and all other documents in the nature of pleadings and written motions filed in the proceedings, the transcript of testimony, the report of the Committee and the orders of the Department shall be the record of such proceedings. The Department shall furnish a transcript of such record to any person interested in such hearing upon payment therefor of twenty-five cents per one hundred words for each original transcript and eight cents per one hundred words for each carbon copy thereof ordered with the original: Provided that the charge for any part of such transcript ordered and paid for previous to the writing of the original record thereof shall be eight cents per hundred words. (Added by Act approved July 8, 1937.)

§ 13-d. The committee shall present to the

director its written report of its findings and recommendations. A copy of such report shall be served upon the accused person, either personally or by registered mail as provided in this Act for the service of the citation. Within twenty (20) days after such service, said accused person may present to the Department his motion in writing for a rehearing, which written motion shall specify the particular grounds therefor. If said accused person shall order and pay for a transcript of the record as provided in this section, the time elapsing thereafter and before such transcript is ready for delivery to him shall not be counted as part of such twenty days.

Whenever the Director is satisfied that substantial justice has not been done, he may order a rehearing by the same or another special committee or, if satisfied that sufficient grounds for refusal to issue, or for suspension or revocation do not exist, may order the complaint dismissed. At the expiration of the time specified for filing a motion for a rehearing the Director shall have the right to take the action recommended by the committee. Upon the suspension or revocation of his certificate of registration, a registrant shall be required to surrender his certificate of registration to the Department, and upon his failure or refusal so to do, the Department shall have the right to seize the same. (Added by Act approved July 8, 1937.)

§ 13-e. At any time after the suspension or revocation of any certificate, the Department may restore it to the accused person without examination, upon the written recommendation of the examining Committee. (Added by Act approved July 8, 1937.)

§ 13-f. All final administrative decisions of the Department hereunder shall be subject to judicial review pursuant to the provisions of the "Administrative Review Act", approved

May 8, 1945, and all amendments and modifications thereof, and the rules adopted pursuant thereto. The term "administrative decision" is defined as in Section 1 of the "Administrative Review Act."

Such proceedings for judicial review shall be commenced in the Circuit or Superior Court of the county in which the party applying for review resides; provided, that if such party is not a resident of this State, the venue shall be in Sangamon County.

The Department shall not be required to certify any record or file any answer or otherwise appear hereunder unless the party filing the complaint deposits with the clerk of the court the sum of five cents per hundred words representing costs of such certification. Failure on the part of the plaintiff to make such deposit shall be grounds for dismissal of the action. (As amended by Act approved July 30, 1949.)

§ 13-g. An order of revocation or suspension or a certified copy thereof, over the seal of the Department and purporting to be signed by the Director shall be prima facie proof that

1. Such signature is the genuine signature of the Director.

2. That such Director is duly appointed and qualified.

3. That the Committee and the members thereof are qualified to act.

Such proof may be rebutted. (As amended by Act approved July 30, 1949.)

§ 13-h. Appeals from all final orders and judgments entered by a Circuit or Superior court in review of a final administrative decision of the Department may be taken directly to the Supreme Court by either party to the action and shall be governed by the rules applying to other civil cases appealed to said Supreme Court. (As amended by Act approved July 30, 1949.)

§ 13-i. (Repealed. Act approved July 30, 1949.)

§ 14. The fee to be paid by an applicant for an examination to determine his fitness to receive a certificate of registration as a registered architect is \$25.

The fee to be paid by an applicant for a certificate of registration as a registered architect is \$5.

The fee to be paid for the restoration of an expired certificate of registration is \$5 and in addition thereto \$5 for each year such certificate was not in full force and effect except if in the discretion of the Director there exists a meritorious cause for the applicant not having renewed at the proper time.

The fee to be paid upon renewal of a certificate of registration is \$20.

The fee to be paid by an applicant for a certificate of registration who is an architect registered or licensed under the laws of another state or territory of the United States or of a foreign country or province is \$25. (Amended by Act approved July 24, 1959)

§ 15. (Repealed by Act approved July 8, 1937.)

§ 15a. No person shall practice architecture or render any of the professional services for which a certificate of registration is required by this Act without having, in effect, such a certificate of registration. The Director of the Department of Registration and Education may, in the name of the people of the State of Illinois through the Attorney General of the State of Illinois or the State's Attorney of any county in which such practice has occurred, file a complaint in equity to enjoin such unlawful acts and to enjoin the further construction of any building for which such person has prepared the plans. Upon the filing of a verified

petition in such cause, the court, if satisfied by affidavit or otherwise that such person is or has been practicing architecture in violation of this Act, may issue a temporary injunction without notice or bond, enjoining the defendant or defendants from further practicing architecture or continuing the construction of the building, or both, and further enjoining the construction of any building or structure where the plans, specifications, design or drawings have been prepared by a person practicing architecture in violation of this Act.

If it is established that a defendant has been or is practicing architecture without a valid, effective certificate of registration, the court may enter a decree perpetually enjoining the defendant from further practicing architecture. In case of violation of any injunction issued under the provisions of this section, the court may summarily try and punish the offender for contempt of court. Such injunction proceedings shall be in addition to and not in lieu of all penalties and other remedies provided in this Act. (Added by Act approved July 11, 1957.)

§ 16. Each of the following Acts constitutes a misdemeanor punishable upon conviction for the first offense by a fine of not less than \$200 nor more than \$500 or by imprisonment for not more than 6 months, or both, and for a second offense by a fine of not less than \$200 nor more than \$500 or by imprisonment for not more than one year, or both, for each offense, each day of continuing violation constituting a separate offense:

(a) the practice of architecture by any person or the advertising or putting out of any sign or card or other device which might indicate to the public that he or she is entitled to practice as an architect, without a certificate of registration as a registered architect issued by the Department of Registration and Education of this State;

(b) the making of any wilfully false oath or affirmation in any matter or proceeding where an oath or affirmation is required by this Act;

(c) the affixing of a registered architect's seal to any plans, specifications or drawings which have not been prepared by him or under his immediate personal supervision;

(d) the violation of any provision of this Act;

(e) using or attempting to use an expired or revoked certificate of registration.

All fines and penalties shall inure to the county in which the violation occurs. (As amended by Act approved July 11, 1957.)

§ 17. The Department of Registration and Education shall keep a record open to public inspection at all reasonable times of its proceedings relating to the issuance, refusal, renewal, suspension or revocation of certificates of registration. This record shall also contain the name, place of business and residence, and the date and number of registration of each registered architect in this State.

The Department of Registration and Education shall make available, not less than 30 days before examination dates, a list of all applications for registration. (As amended by Act approved July 11, 1957.)

§ 18. The following Acts are hereby repealed: "An Act to provide for the licensing of architects and regulating the practice of architecture as a profession," approved June 3, 1897, and in force July 1, 1897, and the following Acts amendatory thereof, to-wit: An Act approved April 19, 1899, and in force July 1, 1899. An Act approved May 16, 1905, and in force July 1, 1905, and an Act approved May 26, 1911, and in force July 1, 1911.

§ 19. This Act may be known and cited as "The Illinois Architectural Act."

§ 20. The provisions of this Act are separable, and an adjudication that one or more provisions are invalid shall not affect the validity of any other provision. (Added by Act approved July 11, 1957.)



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THE ILLINOIS ARCHITECTURAL ACT

STATE OF ILLINOIS
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UNIVERSITY OF ILLINOIS

DEPARTMENT OF
REGISTRATION AND EDUCATION
WILLIAM SYLVESTER WHITE
Director

SPRINGFIELD
1963

(Printed by authority of the State of Illinois)

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THE ILLINOIS ARCHITECTURAL ACT

AN ACT to provide for the licensing of architects and to regulate the practice of architecture as a profession and to repeal certain Acts therein named. (Approved June 24, 1919. In force July 1, 1919.) As amended.

Be it enacted by the People of the State of Illinois, represented in the General Assembly:

Section 1. It shall be unlawful for any person to practice architecture or advertise or put out any sign or card or other device which might indicate to the public that he or she is entitled to practice as an architect, without a certificate of registration as a registered architect, duly issued by the Department of Registration and Education under this Act, and as provided for in the Civil Administrative Code of Illinois.

Sec. 1a. Nothing in this definition or in this Act shall be deemed or construed to prevent the practice of structural engineering as defined in the Illinois Structural Engineering Act or the practice of professional engineering as defined in the Illinois Professional Engineering Act. (Added by Act approved July 11, 1957.)

Sec. 2. Architect means a person who is technically qualified and registered under the laws of this State to practice architecture. The practice of architecture within the meaning and intent of this Act includes the offering or furnishing of any professional services such as consultation, planning, aesthetic and structural design, drawings and specifications, or responsible supervision of construction, or erection, in connection with the construction of

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any private or public buildings, building structures, building projects, or addition to or alteration thereof. (As amended by Act approved July 11, 1957.)

Sec. 3. No corporation shall be licensed to practice architecture in this State or be granted a certificate of registration under this Act, but it shall be lawful for a stock company or a corporation to prepare drawings, plans and specifications for buildings and structures as defined in this Act which are constructed, erected, built, or their construction supervised by such stock company or corporation, provided that the chief executive officer or managing agent of such stock company or corporation in the State of Illinois shall be a registered architect under this Act, and provided further that the supervision of such buildings and structures shall be under the personal supervision of said registered architect and that such drawings, plans and specifications shall be prepared under the personal direction and supervision of such registered architect and bear the stamp of his official seal.

It shall be lawful, however, for one or more registered architects to enter a partnership with one or more licensed structural engineers, licensed under the laws of this State, for the practice of their professions.

Sec. 4. Nothing contained in this Act shall prevent the draftsmen, students, clerks of works, superintendents and other employees of those lawfully practicing as registered architects under the provisions of this Act, from acting under the instruction, control or supervision of their employers, or to prevent the employment of superintendents of the construction, enlargement or alteration of buildings or any parts thereof, or prevent such superintendents from acting under the immediate personal supervision of the registered architect by whom the plans and specifications of any such build-

ing, enlargement or alteration were prepared. Nor shall anything contained in this Act prevent persons, mechanics or builders from making plans, specifications for or supervising the erection, enlargement or alteration of buildings or any parts thereof to be constructed by themselves or their own employees for their own use, provided that the working drawings for such construction are signed by the authors thereof with a true statement thereon of their relation to such construction and that the makers thereof are not architects:

Provided nothing in this Act contained shall be held or construed to have any application to any building, remodeling or repairing of any building or other structure outside of the corporate limits of any city or village, where such building or structure is to be, or is used for residential or farm purposes, or for the purposes of outbuildings or auxiliary buildings in connection with such residential or farm premises; nor shall this Act apply to the construction, remodeling or repairing of any building having 2,000 square feet or less of floor space, except in cases of remodeling involving structural changes the total cost of which exceeds \$10,000, provided that all buildings used by the general public shall come under the requirements of this Act, nor shall this Act apply to interior alterations of existing buildings which do not involve structural changes.

Nothing in this Act shall prevent counties, cities or incorporated areas from making laws or ordinances that are more stringent than those contained in this Act. (As amended by Act approved July 11, 1957.)

Sec. 4-a. The Department of Registration and Education shall exercise, but subject to the provisions of this Act, the following functions, powers and duties:

(1) Conduct examinations to ascertain the qualifications and fitness of applicants for cer-

tificates of registration as registered architects, and pass upon the qualifications of applicants for reciprocal licenses, certificates and authorities;

(2) Prescribe rules and regulations for a method of examination of candidates;

(3) Prescribe rules and regulations defining what shall constitute a school, college or university, or department of a university, or other institution, reputable and in good standing, and to determine whether or not a school, college or university, or department of a university, or other institution is reputable and in good standing by reference to a compliance with such rules and regulations, and to terminate the approval of such school, college or university or department of a university or other institution as reputable and in good standing for non-compliance with such rules and regulations; provided that no school, college or university, or department of a university or other institution that refuses admittance to applicants solely on account of race, color or creed shall be considered reputable and in good standing;

(4) Establish a standard of preliminary education deemed requisite to admission to a school, college or university, and to require satisfactory proof of the enforcement of such standard by such schools, colleges and universities;

(5) Conduct hearings on proceedings to suspend or revoke or refuse renewal of licenses, certificates or authorities of persons applying for registration or registered under the provisions of this Act and to revoke, suspend or refuse to renew such licenses or certificates or authorities;

(6) Formulate rules and regulations when required in any Act to be administered.

None of the foregoing functions or duties enumerated shall be exercised by the Depart-

ment of Registration and Education except upon the action and report in writing of the Examining Committee which shall be composed of persons designated from time to time by the Director of Registration and Education to take such action and to make such report for the profession involved herein as follows:

Five registered architects, one of whom shall be a member of the architectural faculty of the University of Illinois, and the other four of whom shall be architects, residing in this State, who have been engaged in the practice of Architecture at least ten years.

The action or report in writing of a majority of the Committee designated shall be sufficient authority upon which the Director of Registration and Education may act.

In making the designation of persons to act, the Director shall give due consideration to recommendations by members of the profession and by organizations therein.

Whenever the Director is satisfied that substantial justice has not been done in an examination, he may order re-examinations by the same or other examiners. (As amended by Act approved July 11, 1957.)

Sec. 5. Any person who is a citizen of the United States and is 21 years of age and of good moral character is qualified for an examination for a certificate of registration as a registered architect, provided he or she has graduated from a high school or secondary school, approved by the Department of Registration and Education, or has completed an equivalent course of study as determined by an examination approved by the Department of Registration and Education, and has subsequently thereto completed such courses in mathematics, history, language and other subjects, as may be prescribed by such Department, and has had at least 8 years' experience in the office or offices of a registered architect or

architects, or, in lieu of not more than 5 years of such experience, has satisfactorily performed architectural studies in an approved school, college, university or department of a university or other institution, for which the Department may give credit for each year of such architectural studies in lieu of each year of experience required. (As amended by Act approved July 15, 1963.)

Sec. 6. Upon payment of the required fee, an applicant who is an architect, registered or licensed by examination under the laws of another state or territory of the United States, may, without examination, be granted a certificate of registration as a registered architect by the Department of Registration and Education upon the written approval of the examining committee and Director of the Department upon the following conditions:

(a) that the applicant is at least 21 years of age, of good moral character and temperate habits;

(b) that the requirements for the registration or licensing of architects in the particular state or territory were, at the date of the license, substantially equal to the requirements then in force in this State. (As amended by act approved July 11, 1957.)

Sec. 7. Every person who desires to obtain a certificate of registration shall apply therefor to the Department of Registration and Education in writing, upon blanks prepared and furnished by the Department of Registration and Education. Each application shall be verified by the applicant under oath and shall be accompanied by the required fee.

Sec. 8. The Department of Registration and Education shall hold examinations of applicants for certificates of registration as registered architects at such times and places as it may determine. The examination of applicants for

certificates of registration as registered architects shall consist of written and drafting tests supplemented by verbal examination and shall embrace the following subjects:

(a) the planning, designing and construction of buildings;

(b) the strength of building materials;

(c) the principles of sanitation and ventilation as applied to buildings;

(d) the ability of the applicant to make practical application of his knowledge in the ordinary professional work of an architect and in the duties of a supervisor of mechanical work on buildings.

The Department of Registration and Education may by rule prescribe additional subjects for examination. (As amended by Act approved July 11, 1957.)

Sec. 9. Whenever the provisions of this Act have been complied with by an applicant the Department of Registration and Education shall issue a certificate of registration to the applicant as a registered architect, which certificate shall have the effect of a license to the person to whom it is issued to practice architecture in this State, subject to the provisions of this Act.

Any license or certificate of registration heretofore issued under the laws of this State authorizing its holder to practice architecture shall, during the unexpired period for which it was issued, serve the same purpose as the certificate of registration provided for by this Act.

Sec. 10. Any person licensed to practice architecture in this State or registered as an architect under this Act shall be exempt from the provisions of any and all Acts in force in this State regulating the practice of structural engineering.

Sec. 11. Every holder of a certificate of registration as a registered architect shall display

it in a conspicuous place in his principal office.

Every registered architect shall have a seal, the impression of which shall contain the name of the architect and the words "Registered Architect", "State of Illinois". He shall stamp with this seal the first sheet of any bound set and any loose sheets of every set of working drawings and specifications prepared by him or under his supervision. Any seal heretofore authorized under the laws of this State shall serve the same purpose as the seal provided for by this Act. (As amended by Act approved July 11, 1957.)

Sec. 12. Every registered architect who continues in active practice shall renew his certificate of registration on or before July 1 of each even numbered year and pay the required renewal fee. Every license or certificate of registration which has not been renewed during the month of July of any even numbered year shall expire on the first day of August of that year. A registered architect whose certificate of registration has expired may have his certificate of registration reinstated immediately upon payment of all lapsed renewal fees and also upon payment of the required reinstatement fee, provided, however, not more than 5 years have elapsed since the date of expiration.

A registered architect whose certificate of registration has expired for more than 5 years may have his certificate restored only upon making application to the Department and submitting proof satisfactory to the Department of his fitness to have his certificate restored, and upon payment of the required restoration fee.

However, any registered architect whose certificate of registration has expired while he has been engaged (1) in federal service on active duty with the Army of the United States, the United States Navy, the Marine Corps, the Air

Force, the Coast Guard, or the State Militia called into the service or training of the United States of America, or (2) in training or education under the supervision of the United States preliminary to induction into the military service, may have his certificate of registration restored or reinstated without paying any lapsed renewal fees, restoration fee or reinstatement fee if within 2 years after termination of such service, training or education other than by dishonorable discharge he furnishes the Department with an affidavit to the effect that he has been so engaged and that his service, training or education has been so terminated. (As amended by Act approved July 15, 1963.)

Sec. 13. The Department of Registration and Education may refuse to renew, or may suspend, or may revoke, any certificate of registration for any one or any combination of the following causes:

- (a) gross incompetency;
- (b) recklessness in the designing, planning or supervision of construction of buildings or their appurtenances;
- (c) dishonest practice;
- (d) conviction of the second violation of any of the provisions of this Act;
- (e) false or fraudulent representation in obtaining a certificate of registration as an architect;
- (f) conviction of a felony;
- (g) aiding another person to evade the provisions of this Act;
- (h) signing, affixing his seal or permitting his seal to be affixed to any plans, specifications or drawings not prepared by the architect himself or under his personal direction and supervision.

The Department may upon its own motion and shall upon the verified complaint in writing of any person setting forth facts which if

proven would constitute grounds for refusal, suspension or revocation as hereinabove set forth, investigate the actions of any person holding or claiming to hold a certificate. The Department shall, before refusing to issue, suspending or revoking any certificate, at least 10 days prior to the date set for the hearing, notify in writing the applicant or the holder of such certificate of any charges made and shall afford such accused person an opportunity to be heard in person or by counsel in reference thereto. Such written notice may be served by delivery of the same personally to the accused person, or by mailing the same by registered mail to the place of business last theretofore specified by the accused person in his last notification to the Department. At the time and place fixed in the notice, the Examining Committee designated by the Director of Registration and Education, as provided in this Act, shall proceed to hearing of the charges and both the accused person and the complainant shall be accorded ample opportunity to present in person or by counsel, such statements, testimony, evidence and argument as may be pertinent to the charges or to any defense thereto. The Committee may continue such hearing from time to time. If the Committee shall not be sitting at the time and place fixed in the notice or at the time and place to which hearing shall have been continued, the Department shall continue such hearing for a period not to exceed 30 days. (As amended by Act approved July 11, 1957.)

Sec. 13-a. The Department shall have power to subpoena and bring before it any person in this State and to take testimony either orally or by deposition, or both, with the same fees and mileage and in the same manner as prescribed by law in judicial procedure in civil cases in courts of this State.

The Director, Assistant Director, Superintendent of Registration and any member of the

Examining Committee shall each have power to administer oaths to witnesses at any hearing which the Department is authorized by law to conduct, and any other oaths required or authorized in any Act administered by the Department. (Added by Act approved July 8, 1937.)

Sec. 13-b. Any Circuit or Superior court or any judge thereof, either in term time or vacation, upon the application of the accused person or complainant or of the Department, may by order duly entered, require the attendance of witnesses and the production of relevant books and papers before the Department in any hearing relative to the application for or refusal, recall, suspension or revocation of certificate of registration, and the court or judge may compel obedience to its or his order by proceedings for contempt. (Added by Act approved July 8, 1937.)

Sec. 13-c. The Department, at its expense, shall provide a stenographer to take down the testimony and preserve a record of all proceedings at the hearing of any case wherein a certificate is revoked or suspended. The notice of hearing, complaint and all other documents in the nature of pleadings and written motions filed in the proceedings, the transcript of testimony, the report of the Committee and the orders of the Department shall be the record of such proceedings. The Department shall furnish a transcript of such record to any person interested in such hearing upon payment therefor of twenty-five cents per one hundred words for each original transcript and eight cents per one hundred words for each carbon copy thereof ordered with the original: Provided that the charge for any part of such transcript ordered and paid for previous to the writing of the original record thereof shall be eight cents per hundred words. (Added by Act approved July 8, 1937.)

Sec. 13-d. The committee shall present to the

director its written report of its findings and recommendations. A copy of such report shall be served upon the accused person, either personally or by registered mail as provided in this Act for the service of the citation. Within twenty (20) days after such service, said accused person may present to the Department his motion in writing for a rehearing, which written motion shall specify the particular grounds therefor. If said accused person shall order and pay for a transcript of the record as provided in this section, the time elapsing thereafter and before such transcript is ready for delivery to him shall not be counted as part of such twenty days.

Whenever the Director is satisfied that substantial justice has not been done, he may order a rehearing by the same or another special committee or, if satisfied that sufficient grounds for refusal to issue, or for suspension or revocation do not exist, may order the complaint dismissed. At the expiration of the time specified for filing a motion for a rehearing the Director shall have the right to take the action recommended by the committee. Upon the suspension or revocation of his certificate of registration, a registrant shall be required to surrender his certificate of registration to the Department, and upon his failure or refusal so to do, the Department shall have the right to seize the same. (Added by Act approved July 8, 1937.)

Sec. 13-e. At any time after the suspension or revocation of any certificate, the Department may restore it to the accused person without examination, upon the written recommendation of the examining Committee. (Added by Act approved July 8, 1937.)

Sec. 13-f. All final administrative decisions of the Department hereunder shall be subject to judicial review pursuant to the provisions of the "Administrative Review Act", approved

May 8, 1945, and all amendments and modifications thereof, and the rules adopted pursuant thereto. The term "administrative decision" is defined as in Section 1 of the "Administrative Review Act."

Such proceedings for judicial review shall be commenced in the Circuit or Superior Court of the county in which the party applying for review resides; provided, that if such party is not a resident of this State, the venue shall be in Sangamon County.

The Department shall not be required to certify any record or file any answer or otherwise appear hereunder unless the party filing the complaint deposits with the clerk of the court the sum of five cents per hundred words representing costs of such certification. Failure on the part of the plaintiff to make such deposit shall be grounds for dismissal of the action. (As amended by Act approved July 30, 1949.)

Sec. 13-g. An order of revocation or suspension or a certified copy thereof, over the seal of the Department and purporting to be signed by the Director shall be prima facie proof that

1. Such signature is the genuine signature of the Director.

2. That such Director is duly appointed and qualified.

3. That the Committee and the members thereof are qualified to act.

Such proof may be rebutted. (As amended by Act approved July 30, 1949.)

Sec. 13-h. Appeals from all final orders and judgments entered by a Circuit or Superior court in review of a final administrative decision of the Department may be taken directly to the Supreme Court by either party to the action and shall be governed by the rules applying to other civil cases appealed to said Supreme Court. (As amended by Act approved July 30, 1949.)

Sec. 13-i. (Repealed. Act approved July 30, 1949.)

Sec. 14. The fee to be paid by an applicant for both an examination to determine his fitness to receive a certificate of registration, and a certificate of registration is \$30.00.

The fee to be paid by an applicant for the second and each subsequent examination is \$25.00.

The fee to be paid for the reinstatement of a certificate of registration which has expired for not more than 5 years is \$5.00 plus all lapsed renewal fees.

The fee to be paid for the restoration of a certificate of registration which has expired for more than 5 years is \$75.00.

The fee to be paid upon the renewal of a certificate of registration is \$20.00.

The fee to be paid for the issuance of a duplicate certificate of registration which has been lost or destroyed or for the issuance of a certificate in a new name is \$5.00.

The fee to be paid by an applicant for a certificate of registration who is an architect registered or licensed under the laws of another state or territory of the United States or of a foreign country or province is \$50. (As amended by Act approved July 15, 1963.)

Sec. 15. (Repealed by Act approved July 8, 1937.)

Sec. 15a. No person shall practice architecture or render any of the professional services for which a certificate of registration is required by this Act without having, in effect, such a certificate of registration. The Director of the Department of Registration and Education may, in the name of the people of the State of Illinois through the Attorney General of the State of Illinois or the State's Attorney of any county in which such practice has occurred, file a complaint in equity to enjoin such unlawful acts and to enjoin the further construction of

any building for which such person has prepared the plans. Upon the filing of a verified petition in such cause, the court, if satisfied by affidavit or otherwise that such person is or has been practicing architecture in violation of this Act, may issue a temporary injunction without notice or bond, enjoining the defendant or defendants from further practicing architecture or continuing the construction of the building, or both, and further enjoining the construction of any building or structure where the plans, specifications, design or drawings have been prepared by a person practicing architecture in violation of this Act.

If it is established that a defendant has been or is practicing architecture without a valid, effective certificate of registration, the court may enter a decree perpetually enjoining the defendant from further practicing architecture. In case of violation of any injunction issued under the provisions of this section, the court may summarily try and punish the offender for contempt of court. Such injunction proceedings shall be in addition to and not in lieu of all penalties and other remedies provided in this Act. (Added by Act approved July 11, 1957.)

Sec. 16. Each of the following Acts constitutes a misdemeanor punishable upon conviction for the first offense by a fine of not less than \$200 nor more than \$500 or by imprisonment for not more than 6 months, or both, and for a second offense by a fine of not less than \$200 nor more than \$500 or by imprisonment for not more than one year, or both, for each offense, each day of continuing violation constituting a separate offense:

(a) the practice of architecture by any person or the advertising or putting out of any sign or card or other device which might indicate to the public that he or she is entitled to practice as an architect, without a certificate of registration as a registered architect issued

by the Department of Registration and Education of this State;

(b) the making of any wilfully false oath or affirmation in any matter or proceeding where an oath or affirmation is required by this Act;

(c) the affixing of a registered architect's seal to any plans, specifications or drawings which have not been prepared by him or under his immediate personal supervision;

(d) the violation of any provision of this Act;

(e) using or attempting to use an expired or revoked certificate of registration.

All fines and penalties shall inure to the county in which the violation occurs. (As amended by Act approved July 11, 1957.)

Sec. 17. The Department of Registration and Education shall keep a record open to public inspection at all reasonable times of its proceedings relating to the issuance, refusal, renewal, suspension or revocation of certificates of registration. This record shall also contain the name, place of business and residence, and the date and number of registration of each registered architect in this State.

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Sec. 19. This Act may be known and cited as "The Illinois Architectural Act."

Sec. 20. The provisions of this Act are separable, and an adjudication that one or more provisions are invalid shall not affect the validity of any other provision. (Added by Act approved July 11, 1957.)



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THE ILLINOIS ARCHITECTURAL ACT

STATE OF ILLINOIS
OTTO KERNER, Governor



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JUL 11 1964
UNIVERSITY OF ILLINOIS
DEPARTMENT OF
REGISTRATION AND EDUCATION
WILLIAM SYLVESTER WHITE
Director

SPRINGFIELD
1964

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THE ILLINOIS ARCHITECTURAL ACT

AN ACT to provide for the licensing of architects and to regulate the practice of architecture as a profession and to repeal certain Acts therein named. (Approved June 24, 1919. In force July 1, 1919.) As amended.

Be it enacted by the People of the State of Illinois, represented in the General Assembly:

Section 1. It shall be unlawful for any person to practice architecture or advertise or put out any sign or card or other device which might indicate to the public that he or she is entitled to practice as an architect, without a certificate of registration as a registered architect, duly issued by the Department of Registration and Education under this Act, and as provided for in the Civil Administrative Code of Illinois.

Sec. 1a. Nothing in this definition or in this Act shall be deemed or construed to prevent the practice of structural engineering as defined in the Illinois Structural Engineering Act or the practice of professional engineering as defined in the Illinois Professional Engineering Act. (Added by Act approved July 11, 1957.)

Sec. 2. Architect means a person who is technically qualified and registered under the laws of this State to practice architecture. The practice of architecture within the meaning and intent of this Act includes the offering or furnishing of any professional services such as consultation, planning, aesthetic and structural design, drawings and specifications, or responsible supervision of construction, or erection, in connection with the construction of

any private or public buildings, building structures, building projects, or addition to or alteration thereof. (As amended by Act approved July 11, 1957.)

Sec. 3. No corporation shall be licensed to practice architecture in this State or be granted a certificate of registration under this Act, but it shall be lawful for a stock company or a corporation to prepare drawings, plans and specifications for buildings and structures as defined in this Act which are constructed, erected, built, or their construction supervised by such stock company or corporation, provided that the chief executive officer or managing agent of such stock company or corporation in the State of Illinois shall be a registered architect under this Act, and provided further that the supervision of such buildings and structures shall be under the personal supervision of said registered architect and that such drawings, plans and specifications shall be prepared under the personal direction and supervision of such registered architect and bear the stamp of his official seal.

It shall be lawful, however, for one or more registered architects to enter a partnership with one or more licensed structural engineers, licensed under the laws of this State, for the practice of their professions.

Sec. 4. Nothing contained in this Act shall prevent the draftsmen, students, clerks of works, superintendents and other employees of those lawfully practicing as registered architects under the provisions of this Act, from acting under the instruction, control or supervision of their employers, or to prevent the employment of superintendents of the construction, enlargement or alteration of buildings or any parts thereof, or prevent such superintendents from acting under the immediate personal supervision of the registered architect by whom the plans and specifications of any such build-

ing, enlargement or alteration were prepared. Nor shall anything contained in this Act prevent persons, mechanics or builders from making plans, specifications for or supervising the erection, enlargement or alteration of buildings or any parts thereof to be constructed by themselves or their own employees for their own use, provided that the working drawings for such construction are signed by the authors thereof with a true statement thereon of their relation to such construction and that the makers thereof are not architects:

Provided nothing in this Act contained shall be held or construed to have any application to any building, remodeling or repairing of any building or other structure outside of the corporate limits of any city or village, where such building or structure is to be, or is used for residential or farm purposes, or for the purposes of outbuildings or auxiliary buildings in connection with such residential or farm premises; nor shall this Act apply to the construction, remodeling or repairing of any building having 2,000 square feet or less of floor space, except in cases of remodeling involving structural changes the total cost of which exceeds \$10,000, provided that all buildings used by the general public shall come under the requirements of this Act, nor shall this Act apply to interior alterations of existing buildings which do not involve structural changes.

Nothing in this Act shall prevent counties, cities or incorporated areas from making laws or ordinances that are more stringent than those contained in this Act. (As amended by Act approved July 11, 1957.)

Sec. 4-a. The Department of Registration and Education shall exercise, but subject to the provisions of this Act, the following functions, powers and duties:

(1) Conduct examinations to ascertain the qualifications and fitness of applicants for cer-

tificates of registration as registered architects, and pass upon the qualifications of applicants for reciprocal licenses, certificates and authorities;

(2) Prescribe rules and regulations for a method of examination of candidates;

(3) Prescribe rules and regulations defining what shall constitute a school, college or university, or department of a university, or other institution, reputable and in good standing, and to determine whether or not a school, college or university, or department of a university, or other institution is reputable and in good standing by reference to a compliance with such rules and regulations, and to terminate the approval of such school, college or university or department of a university or other institution as reputable and in good standing for non-compliance with such rules and regulations; provided that no school, college or university, or department of a university or other institution that refuses admittance to applicants solely on account of race, color or creed shall be considered reputable and in good standing;

(4) Establish a standard of preliminary education deemed requisite to admission to a school, college or university, and to require satisfactory proof of the enforcement of such standard by such schools, colleges and universities;

(5) Conduct hearings on proceedings to suspend or revoke or refuse renewal of licenses, certificates or authorities of persons applying for registration or registered under the provisions of this Act and to revoke, suspend or refuse to renew such licenses or certificates or authorities;

(6) Formulate rules and regulations when required in any Act to be administered.

None of the foregoing functions or duties enumerated shall be exercised by the Depart-

ment of Registration and Education except upon the action and report in writing of the Examining Committee which shall be composed of persons designated from time to time by the Director of Registration and Education to take such action and to make such report for the profession involved herein as follows:

Five registered architects, one of whom shall be a member of the architectural faculty of the University of Illinois, and the other four of whom shall be architects, residing in this State, who have been engaged in the practice of Architecture at least ten years.

The action or report in writing of a majority of the Committee designated shall be sufficient authority upon which the Director of Registration and Education may act.

In making the designation of persons to act, the Director shall give due consideration to recommendations by members of the profession and by organizations therein.

Whenever the Director is satisfied that substantial justice has not been done in an examination, he may order re-examinations by the same or other examiners. (As amended by Act approved July 11, 1957.)

Sec. 5. Any person who is a citizen of the United States and is 21 years of age and of good moral character is qualified for an examination for a certificate of registration as a registered architect, provided he or she has graduated from a high school or secondary school, approved by the Department of Registration and Education, or has completed an equivalent course of study as determined by an examination approved by the Department of Registration and Education, and has subsequently thereto completed such courses in mathematics, history, language and other subjects, as may be prescribed by such Department, and has had at least 8 years' experience in the office or offices of a registered architect or

architects, or, in lieu of not more than 5 years of such experience, has satisfactorily performed architectural studies in an approved school, college, university or department of a university or other institution, for which the Department may give credit for each year of such architectural studies in lieu of each year of experience required. (As amended by Act approved July 15, 1963.)

Sec. 6. Upon payment of the required fee, an applicant who is an architect, registered or licensed by examination under the laws of another state or territory of the United States, may, without examination, be granted a certificate of registration as a registered architect by the Department of Registration and Education upon the written approval of the examining committee and Director of the Department upon the following conditions:

(a) that the applicant is at least 21 years of age, of good moral character and temperate habits;

(b) that the requirements for the registration or licensing of architects in the particular state or territory were, at the date of the license, substantially equal to the requirements then in force in this State. (As amended by act approved July 11, 1957.)

Sec. 7. Every person who desires to obtain a certificate of registration shall apply therefor to the Department of Registration and Education in writing, upon blanks prepared and furnished by the Department of Registration and Education. Each application shall be verified by the applicant under oath and shall be accompanied by the required fee.

Sec. 8. The Department of Registration and Education shall hold examinations of applicants for certificates of registration as registered architects at such times and places as it may determine. The examination of applicants for

certificates of registration as registered architects shall consist of written and drafting tests supplemented by verbal examination and shall embrace the following subjects:

(a) the planning, designing and construction of buildings;

(b) the strength of building materials;

(c) the principles of sanitation and ventilation as applied to buildings;

(d) the ability of the applicant to make practical application of his knowledge in the ordinary professional work of an architect and in the duties of a supervisor of mechanical work on buildings.

The Department of Registration and Education may by rule prescribe additional subjects for examination. (As amended by Act approved July 11, 1957.)

Sec. 9. Whenever the provisions of this Act have been complied with by an applicant the Department of Registration and Education shall issue a certificate of registration to the applicant as a registered architect, which certificate shall have the effect of a license to the person to whom it is issued to practice architecture in this State, subject to the provisions of this Act.

Any license or certificate of registration heretofore issued under the laws of this State authorizing its holder to practice architecture shall, during the unexpired period for which it was issued, serve the same purpose as the certificate of registration provided for by this Act.

Sec. 10. Any person licensed to practice architecture in this State or registered as an architect under this Act shall be exempt from the provisions of any and all Acts in force in this State regulating the practice of structural engineering.

Sec. 11. Every holder of a certificate of registration as a registered architect shall display

it in a conspicuous place in his principal office.

Every registered architect shall have a seal, the impression of which shall contain the name of the architect and the words "Registered Architect", "State of Illinois". He shall stamp with this seal the first sheet of any bound set and any loose sheets of every set of working drawings and specifications prepared by him or under his supervision. Any seal heretofore authorized under the laws of this State shall serve the same purpose as the seal provided for by this Act. (As amended by Act approved July 11, 1957.)

Sec. 12. Every registered architect who continues in active practice shall renew his certificate of registration on or before July 1 of each even numbered year and pay the required renewal fee. Every license or certificate of registration which has not been renewed during the month of July of any even numbered year shall expire on the first day of August of that year. A registered architect whose certificate of registration has expired may have his certificate of registration reinstated immediately upon payment of all lapsed renewal fees and also upon payment of the required reinstatement fee, provided, however, not more than 5 years have elapsed since the date of expiration.

A registered architect whose certificate of registration has expired for more than 5 years may have his certificate restored only upon making application to the Department and submitting proof satisfactory to the Department of his fitness to have his certificate restored, and upon payment of the required restoration fee.

However, any registered architect whose certificate of registration has expired while he has been engaged (1) in federal service on active duty with the Army of the United States, the United States Navy, the Marine Corps, the Air

Force, the Coast Guard, or the State Militia called into the service or training of the United States of America, or (2) in training or education under the supervision of the United States preliminary to induction into the military service, may have his certificate of registration restored or reinstated without paying any lapsed renewal fees, restoration fee or reinstatement fee if within 2 years after termination of such service, training or education other than by dishonorable discharge he furnishes the Department with an affidavit to the effect that he has been so engaged and that his service, training or education has been so terminated. (As amended by Act approved July 15, 1963.)

Sec. 13. The Department of Registration and Education may refuse to renew, or may suspend, or may revoke, any certificate of registration for any one or any combination of the following causes:

- (a) gross incompetency;
- (b) recklessness in the designing, planning or supervision of construction of buildings or their appurtenances;
- (c) dishonest practice;
- (d) conviction of the second violation of any of the provisions of this Act;
- (e) false or fraudulent representation in obtaining a certificate of registration as an architect;
- (f) conviction of a felony;
- (g) aiding another person to evade the provisions of this Act;
- (h) signing, affixing his seal or permitting his seal to be affixed to any plans, specifications or drawings not prepared by the architect himself or under his personal direction and supervision.

The Department may upon its own motion and shall upon the verified complaint in writing of any person setting forth facts which if

proven would constitute grounds for refusal, suspension or revocation as hereinabove set forth, investigate the actions of any person holding or claiming to hold a certificate. The Department shall, before refusing to issue, suspending or revoking any certificate, at least 10 days prior to the date set for the hearing, notify in writing the applicant or the holder of such certificate of any charges made and shall afford such accused person an opportunity to be heard in person or by counsel in reference thereto. Such written notice may be served by delivery of the same personally to the accused person, or by mailing the same by registered mail to the place of business last theretofore specified by the accused person in his last notification to the Department. At the time and place fixed in the notice, the Examining Committee designated by the Director of Registration and Education, as provided in this Act, shall proceed to hearing of the charges and both the accused person and the complainant shall be accorded ample opportunity to present in person or by counsel, such statements, testimony, evidence and argument as may be pertinent to the charges or to any defense thereto. The Committee may continue such hearing from time to time. If the Committee shall not be sitting at the time and place fixed in the notice or at the time and place to which hearing shall have been continued, the Department shall continue such hearing for a period not to exceed 30 days. (As amended by Act approved July 11, 1957.)

Sec. 13-a. The Department shall have power to subpoena and bring before it any person in this State and to take testimony either orally or by deposition, or both, with the same fees and mileage and in the same manner as prescribed by law in judicial procedure in civil cases in courts of this State.

The Director, Assistant Director, Superintendent of Registration and any member of the

Examining Committee shall each have power to administer oaths to witnesses at any hearing which the Department is authorized by law to conduct, and any other oaths required or authorized in any Act administered by the Department. (Added by Act approved July 8, 1937.)

Sec. 13-b. Any Circuit or Superior court or any judge thereof, either in term time or vacation, upon the application of the accused person or complainant or of the Department, may by order duly entered, require the attendance of witnesses and the production of relevant books and papers before the Department in any hearing relative to the application for or refusal, recall, suspension or revocation of certificate of registration, and the court or judge may compel obedience to its or his order by proceedings for contempt. (Added by Act approved July 8, 1937.)

Sec. 13-c. The Department, at its expense, shall provide a stenographer to take down the testimony and preserve a record of all proceedings at the hearing of any case wherein a certificate is revoked or suspended. The notice of hearing, complaint and all other documents in the nature of pleadings and written motions filed in the proceedings, the transcript of testimony, the report of the Committee and the orders of the Department shall be the record of such proceedings. The Department shall furnish a transcript of such record to any person interested in such hearing upon payment therefor of twenty-five cents per one hundred words for each original transcript and eight cents per one hundred words for each carbon copy thereof ordered with the original: Provided that the charge for any part of such transcript ordered and paid for previous to the writing of the original record thereof shall be eight cents per hundred words. (Added by Act approved July 8, 1937.)

Sec. 13-d. The committee shall present to the

director its written report of its findings and recommendations. A copy of such report shall be served upon the accused person, either personally or by registered mail as provided in this Act for the service of the citation. Within twenty (20) days after such service, said accused person may present to the Department his motion in writing for a rehearing, which written motion shall specify the particular grounds therefor. If said accused person shall order and pay for a transcript of the record as provided in this section, the time elapsing thereafter and before such transcript is ready for delivery to him shall not be counted as part of such twenty days.

Whenever the Director is satisfied that substantial justice has not been done, he may order a rehearing by the same or another special committee or, if satisfied that sufficient grounds for refusal to issue, or for suspension or revocation do not exist, may order the complaint dismissed. At the expiration of the time specified for filing a motion for a rehearing the Director shall have the right to take the action recommended by the committee. Upon the suspension or revocation of his certificate of registration, a registrant shall be required to surrender his certificate of registration to the Department, and upon his failure or refusal so to do, the Department shall have the right to seize the same. (Added by Act approved July 8, 1937.)

Sec. 13-e. At any time after the suspension or revocation of any certificate, the Department may restore it to the accused person without examination, upon the written recommendation of the examining Committee. (Added by Act approved July 8, 1937.)

Sec. 13-f. All final administrative decisions of the Department hereunder shall be subject to judicial review pursuant to the provisions of the "Administrative Review Act", approved

May 8, 1945, and all amendments and modifications thereof, and the rules adopted pursuant thereto. The term "administrative decision" is defined as in Section 1 of the "Administrative Review Act."

Such proceedings for judicial review shall be commenced in the Circuit or Superior Court of the county in which the party applying for review resides; provided, that if such party is not a resident of this State, the venue shall be in Sangamon County.

The Department shall not be required to certify any record or file any answer or otherwise appear hereunder unless the party filing the complaint deposits with the clerk of the court the sum of five cents per hundred words representing costs of such certification. Failure on the part of the plaintiff to make such deposit shall be grounds for dismissal of the action. (As amended by Act approved July 30, 1949.)

Sec. 13-g. An order of revocation or suspension or a certified copy thereof, over the seal of the Department and purporting to be signed by the Director shall be prima facie proof that

1. Such signature is the genuine signature of the Director.

2. That such Director is duly appointed and qualified.

3. That the Committee and the members thereof are qualified to act.

Such proof may be rebutted. (As amended by Act approved July 30, 1949.)

Sec. 13-h. Appeals from all final orders and judgments entered by a Circuit or Superior court in review of a final administrative decision of the Department may be taken directly to the Supreme Court by either party to the action and shall be governed by the rules applying to other civil cases appealed to said Supreme Court. (As amended by Act approved July 30, 1949.)

Sec. 13-i. (Repealed. Act approved July 30, 1949.)

Sec. 14. The fee to be paid by an applicant for both an examination to determine his fitness to receive a certificate of registration, and a certificate of registration is \$30.00.

The fee to be paid by an applicant for the second and each subsequent examination is \$25.00.

The fee to be paid for the reinstatement of a certificate of registration which has expired for not more than 5 years is \$5.00 plus all lapsed renewal fees.

The fee to be paid for the restoration of a certificate of registration which has expired for more than 5 years is \$75.00.

The fee to be paid upon the renewal of a certificate of registration is \$20.00.

The fee to be paid for the issuance of a duplicate certificate of registration which has been lost or destroyed or for the issuance of a certificate in a new name is \$5.00.

The fee to be paid by an applicant for a certificate of registration who is an architect registered or licensed under the laws of another state or territory of the United States or of a foreign country or province is \$50. (As amended by Act approved July 15, 1963.)

Sec. 15. (Repealed by Act approved July 8, 1937.)

Sec. 15a. No person shall practice architecture or render any of the professional services for which a certificate of registration is required by this Act without having, in effect, such a certificate of registration. The Director of the Department of Registration and Education may, in the name of the people of the State of Illinois through the Attorney General of the State of Illinois or the State's Attorney of any county in which such practice has occurred, file a complaint in equity to enjoin such unlawful acts and to enjoin the further construction of

any building for which such person has prepared the plans. Upon the filing of a verified petition in such cause, the court, if satisfied by affidavit or otherwise that such person is or has been practicing architecture in violation of this Act, may issue a temporary injunction without notice or bond, enjoining the defendant or defendants from further practicing architecture or continuing the construction of the building, or both, and further enjoining the construction of any building or structure where the plans, specifications, design or drawings have been prepared by a person practicing architecture in violation of this Act.

If it is established that a defendant has been or is practicing architecture without a valid, effective certificate of registration, the court may enter a decree perpetually enjoining the defendant from further practicing architecture. In case of violation of any injunction issued under the provisions of this section, the court may summarily try and punish the offender for contempt of court. Such injunction proceedings shall be in addition to and not in lieu of all penalties and other remedies provided in this Act. (Added by Act approved July 11, 1957.)

Sec. 16. Each of the following Acts constitutes a misdemeanor punishable upon conviction for the first offense by a fine of not less than \$200 nor more than \$500 or by imprisonment for not more than 6 months, or both, and for a second offense by a fine of not less than \$200 nor more than \$500 or by imprisonment for not more than one year, or both, for each offense, each day of continuing violation constituting a separate offense:

(a) the practice of architecture by any person or the advertising or putting out of any sign or card or other device which might indicate to the public that he or she is entitled to practice as an architect, without a certificate of registration as a registered architect issued

by the Department of Registration and Education of this State;

(b) the making of any wilfully false oath or affirmation in any matter or proceeding where an oath or affirmation is required by this Act;

(c) the affixing of a registered architect's seal to any plans, specifications or drawings which have not been prepared by him or under his immediate personal supervision;

(d) the violation of any provision of this Act;

(e) using or attempting to use an expired or revoked certificate of registration.

All fines and penalties shall inure to the county in which the violation occurs. (As amended by Act approved July 11, 1957.)

Sec. 17. The Department of Registration and Education shall keep a record open to public inspection at all reasonable times of its proceedings relating to the issuance, refusal, renewal, suspension or revocation of certificates of registration. This record shall also contain the name, place of business and residence, and the date and number of registration of each registered architect in this State.

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DEPARTMENT OF
REGISTRATION AND EDUCATION
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Sec. 4. Nothing contained in this Act shall prevent the draftsmen, students, clerks of works, superintendents and other employees of those lawfully practicing as registered architects under the provisions of this Act, from acting under the instruction, control or supervision of their employers, or to prevent the employment of superintendents of the construction, enlargement or alteration of buildings or any parts thereof, or prevent such superintendents from acting under the immediate personal supervision of the registered architect by whom the plans and specifications of any such build-

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Provided nothing in this Act contained shall be held or construed to have any application to any building, remodeling or repairing of any building or other structure outside of the corporate limits of any city or village, where such building or structure is to be, or is used for residential or farm purposes, or for the purposes of outbuildings or auxiliary buildings in connection with such residential or farm premises; nor shall this Act apply to the construction, remodeling or repairing of any building having 2,000 square feet or less of floor space, except in cases of remodeling involving structural changes the total cost of which exceeds \$10,000, provided that all buildings used by the general public shall come under the requirements of this Act, nor shall this Act apply to interior alterations of existing buildings which do not involve structural changes.

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(2) Prescribe rules and regulations for a method of examination of candidates;

(3) Prescribe rules and regulations defining what shall constitute a school, college or university, or department of a university, or other institution, reputable and in good standing, and to determine whether or not a school, college or university, or department of a university, or other institution is reputable and in good standing by reference to a compliance with such rules and regulations, and to terminate the approval of such school, college or university or department of a university or other institution as reputable and in good standing for non-compliance with such rules and regulations; provided that no school, college or university, or department of a university or other institution that refuses admittance to applicants solely on account of race, color or creed shall be considered reputable and in good standing;

(4) Establish a standard of preliminary education deemed requisite to admission to a school, college or university, and to require satisfactory proof of the enforcement of such standard by such schools, colleges and universities;

(5) Conduct hearings on proceedings to suspend or revoke or refuse renewal of licenses, certificates or authorities of persons applying for registration or registered under the provisions of this Act and to revoke, suspend or refuse to renew such licenses or certificates or authorities;

(6) Formulate rules and regulations when required in any Act to be administered.

None of the foregoing functions or duties enumerated shall be exercised by the Depart-

ment of Registration and Education except upon the action and report in writing of the Examining Committee which shall be composed of persons designated from time to time by the Director of Registration and Education to take such action and to make such report for the profession involved herein as follows:

Five registered architects, one of whom shall be a member of the architectural faculty of the University of Illinois, and the other four of whom shall be architects, residing in this State, who have been engaged in the practice of Architecture at least ten years.

The action or report in writing of a majority of the Committee designated shall be sufficient authority upon which the Director of Registration and Education may act.

In making the designation of persons to act, the Director shall give due consideration to recommendations by members of the profession and by organizations therein.

Whenever the Director is satisfied that substantial justice has not been done in an examination, he may order re-examinations by the same or other examiners. (As amended by Act approved July 11, 1957.)

Sec. 5. Any person who is a citizen of the United States and is 21 years of age and of good moral character is qualified for an examination for a certificate of registration as a registered architect, provided he or she has graduated from a high school or secondary school, approved by the Department of Registration and Education, or has completed an equivalent course of study as determined by an examination approved by the Department of Registration and Education, and has subsequently thereto completed such courses in mathematics, history, language and other subjects, as may be prescribed by such Department, and has had at least 8 years' experience in the office or offices of a registered architect or

architects, or, in lieu of not more than 5 years of such experience, has satisfactorily performed architectural studies in an approved school, college, university or department of a university or other institution, for which the Department may give credit for each year of such architectural studies in lieu of each year of experience required. (As amended by Act approved July 15, 1963.)

Sec. 6. Upon payment of the required fee, an applicant who is an architect, registered or licensed by examination under the laws of another state or territory of the United States, may, without examination, be granted a certificate of registration as a registered architect by the Department of Registration and Education upon the written approval of the examining committee and Director of the Department upon the following conditions:

(a) that the applicant is at least 21 years of age, of good moral character and temperate habits;

(b) that the requirements for the registration or licensing of architects in the particular state or territory were, at the date of the license, substantially equal to the requirements then in force in this State. (As amended by Act approved July 11, 1957.)

Sec. 7. Every person who desires to obtain a certificate of registration shall apply therefor to the Department of Registration and Education in writing, upon blanks prepared and furnished by the Department of Registration and Education. Each application shall be verified by the applicant under oath and shall be accompanied by the required fee.

Sec. 8. The Department of Registration and Education shall hold examinations of applicants for certificates of registration as registered architects at such times and places as it may determine. The examination of applicants for

certificates of registration as registered architects shall consist of written and drafting tests supplemented by verbal examination and shall embrace the following subjects:

(a) the planning, designing and construction of buildings;

(b) the strength of building materials;

(c) the principles of sanitation and ventilation as applied to buildings;

(d) the ability of the applicant to make practical application of his knowledge in the ordinary professional work of an architect and in the duties of a supervisor of mechanical work on buildings.

The Department of Registration and Education may by rule prescribe additional subjects for examination. (As amended by Act approved July 11, 1957.)

Sec. 9. Whenever the provisions of this Act have been complied with by an applicant the Department of Registration and Education shall issue a certificate of registration to the applicant as a registered architect, which certificate shall have the effect of a license to the person to whom it is issued to practice architecture in this State, subject to the provisions of this Act.

Any license or certificate of registration heretofore issued under the laws of this State authorizing its holder to practice architecture shall, during the unexpired period for which it was issued, serve the same purpose as the certificate of registration provided for by this Act.

Sec. 10. Any person licensed to practice architecture in this State or registered as an architect under this Act shall be exempt from the provisions of any and all acts in force in this State regulating the practice of structural engineering.

Sec. 11. Every holder of a certificate of registration as a registered architect shall display

it in a conspicuous place in his principal office.

Every registered architect shall have a seal, the impression of which shall contain the name of the architect and the words "Registered Architect", "State of Illinois". He shall stamp with this seal the first sheet of any bound set and any loose sheets of every set of working drawings and specifications prepared by him or under his supervision. Any seal heretofore authorized under the laws of this State shall serve the same purpose as the seal provided for by this Act. (As amended by Act approved July 11, 1957.)

Sec. 12. Every registered architect who continues in active practice shall renew his certificate of registration on or before July 1 of each even numbered year and pay the required renewal fee. Every license or certificate of registration which has not been renewed during the month of July of any even numbered year shall expire on the first day of August of that year. A registered architect whose certificate of registration has expired may have his certificate of registration reinstated immediately upon payment of all lapsed renewal fees and also upon payment of the required reinstatement fee, provided, however, not more than 5 years have elapsed since the date of expiration.

A registered architect whose certificate of registration has expired for more than 5 years may have his certificate restored only upon making application to the Department and submitting proof satisfactory to the Department of his fitness to have his certificate restored and upon payment of the required restoration fee.

However, any registered architect whose certificate of registration has expired while he has been engaged (1) in federal service on active duty with the Army of the United States, the United States Navy, the Marine Corps, the Air

Force, the Coast Guard, or the State Militia called into the service or training of the United States of America, or (2) in training or education under the supervision of the United States preliminary to induction into the military service, may have his certificate of registration restored or reinstated without paying any lapsed renewal fees, restoration fee or reinstatement fee if within 2 years after termination of such service, training or education other than by dishonorable discharge he furnishes the Department with an affidavit to the effect that he has been so engaged and that his service, training or education has been so terminated. (As amended by Act approved July 15, 1963.)

Sec. 13. The Department of Registration and Education may refuse to renew, or may suspend, or may revoke, any certificate of registration for any one or any combination of the following causes:

- (a) gross incompetency;
- (b) recklessness in the designing, planning or supervision of construction of buildings or their appurtenances;
- (c) dishonest practice;
- (d) conviction of the second violation of any of the provisions of this Act;
- (e) false or fraudulent representation in obtaining a certificate of registration as an architect;
- (f) conviction of a felony;
- (g) aiding another person to evade the provisions of this Act;
- (h) signing, affixing his seal or permitting his seal to be affixed to any plans, specifications or drawings not prepared by the architect himself or under his personal direction and supervision.

The Department may upon its own motion and shall upon the verified complaint in writing of any person setting forth facts which if

proven would constitute grounds for refusal, suspension or revocation as hereinabove set forth, investigate the actions of any person holding or claiming to hold a certificate. The Department shall, before refusing to issue, suspending or revoking any certificate, at least 10 days prior to the date set for the hearing, notify in writing the applicant or the holder of such certificate of any charges made and shall afford such accused person an opportunity to be heard in person or by counsel in reference thereto. Such written notice may be served by delivery of the same personally to the accused person, or by mailing the same by registered mail to the place of business last theretofore specified by the accused person in his last notification to the Department. At the time and place fixed in the notice, the Examining Committee designated by the Director of Registration and Education, as provided in this Act, shall proceed to hearing of the charges and both the accused person and the complainant shall be accorded ample opportunity to present in person or by counsel, such statements, testimony, evidence and argument as may be pertinent to the charges or to any defense thereto. The Committee may continue such hearing from time to time. If the Committee shall not be sitting at the time and place fixed in the notice or at the time and place to which hearing shall have been continued, the Department shall continue such hearing for a period not to exceed 30 days. (As amended by Act approved July 11, 1957.)

Sec. 13-a. The Department shall have power to subpoena and bring before it any person in this State and to take testimony either orally or by deposition, or both, with the same fees and mileage and in the same manner as prescribed by law in judicial procedure in civil cases in courts of this State.

The Director, Assistant Director, Superin-

tendent of Registration and any member of the Examining Committee shall each have power to administer oaths to witnesses at any hearing which the Department is authorized by law to conduct, and any other oaths required or authorized in any Act administered by the Department. (Added by Act approved July 8, 1937.)

Sec. 13-b. Any Circuit or Superior court or any judge thereof, either in term time or vacation, upon the application of the accused person or complainant or of the Department, may by order duly entered, require the attendance of witnesses and the production of relevant books and papers before the Department in any hearing relative to the application for or refusal, recall, suspension or revocation of certificate of registration, and the court or judge may compel obedience to its or his order by proceedings for contempt. (Added by Act approved July 8, 1937.)

Sec. 13-c. The Department, at its expense, shall provide a stenographer to take down the testimony and preserve a record of all proceedings at the hearing of any case wherein a certificate is revoked or suspended. The notice of hearing, complaint and all other documents in the nature of pleadings and written motions filed in the proceedings, the transcript of testimony, the report of the Committee and the orders of the Department shall be the record of such proceedings. The Department shall furnish a transcript of such record to any person interested in such hearing upon payment therefor of twenty-five cents per one hundred words for each original transcript and eight cents per one hundred words for each carbon copy thereof ordered with the original: Provided that the charge for any part of such transcript ordered and paid for previous to the writing of the original record thereof shall be eight cents per hundred words. (Added by Act approved July 8, 1937.)

Sec. 13-d. The committee shall present to the director its written report of its findings and recommendations. A copy of such report shall be served upon the accused person, either personally or by registered mail as provided in this Act for the service of the citation. Within twenty (20) days after such service, said accused person may present to the Department his motion in writing for a rehearing, which written motion shall specify the particular grounds therefor. If said accused person shall order and pay for a transcript of the record as provided in this section, the time elapsing thereafter and before such transcript is ready for delivery to him shall not be counted as part of such twenty days.

Whenever the Director is satisfied that substantial justice has not been done, he may order a rehearing by the same or another special committee or, if satisfied that sufficient grounds for refusal to issue, or for suspension or revocation do not exist, may order the complaint dismissed. At the expiration of the time specified for filing a motion for a rehearing the Director shall have the right to take the action recommended by the committee. Upon the suspension or revocation of his certificate of registration, a registrant shall be required to surrender his certificate of registration to the Department, and upon his failure or refusal so to do, the Department shall have the right to seize the same. (Added by Act approved July 8, 1937.)

Sec. 13-e. At any time after the suspension or revocation of any certificate, the Department may restore it to the accused person without examination, upon the written recommendation of the examining Committee. (Added by Act approved July 8, 1937.)

Sec. 13-f. All final administrative decisions of the Department hereunder shall be subject to judicial review pursuant to the provisions of

the "Administrative Review Act", approved May 8, 1945, and all amendments and modifications thereof, and the rules adopted pursuant thereto. The term "administrative decision" is defined as in Section 1 of the "Administrative Review Act."

Such proceedings for judicial review shall be commenced in the Circuit or Superior Court of the county in which the party applying for review resides; provided, that if such party is not a resident of this State, the venue shall be in Sangamon County.

The Department shall not be required to certify any record or file any answer or otherwise appear hereunder unless the party filing the complaint deposits with the clerk of the court the sum of five cents per hundred words representing costs of such certification. Failure on the part of the plaintiff to make such deposit shall be grounds for dismissal of the action. (As amended by Act approved July 30, 1949.)

Sec. 13-g. An order of revocation or suspension or a certified copy thereof, over the seal of the Department and purporting to be signed by the Director shall be prima facie proof that

1. Such signature is the genuine signature of the Director.

2. That such Director is duly appointed and qualified.

3. That the Committee and the members thereof are qualified to act.

Such proof may be rebutted. (As amended by Act approved July 30, 1949.)

Sec. 13-h. Appeals from all final orders and judgments entered by a Circuit or Superior court in review of a final administrative decision of the Department may be taken directly to the Supreme Court by either party to the action and shall be governed by the rules applying to other civil cases appealed to said Supreme Court. (As amended by Act approved July 30, 1949.)

Sec. 13-i. (Repealed. Act approved July 30, 1949.)

Sec. 14. The fee to be paid by an applicant for both an examination to determine his fitness to receive a certificate of registration, and a certificate of registration is \$30.00.

The fee to be paid by an applicant for the second and each subsequent examination is \$25.00.

The fee to be paid for the reinstatement of a certificate of registration which has expired for not more than 5 years is \$5.00 plus all lapsed renewal fees.

The fee to be paid for the restoration of a certificate of registration which has expired for more than 5 years is \$75.00.

The fee to be paid upon the renewal of a certificate of registration is \$20.00.

The fee to be paid for the issuance of a duplicate certificate of registration which has been lost or destroyed or for the issuance of a certificate in a new name is \$5.00.

The fee to be paid by an applicant for a certificate of registration who is an architect registered or licensed under the laws of another state or territory of the United States or of a foreign country or province is \$50. (As amended by Act approved July 15, 1963.)

Sec. 15. (Repealed by Act approved July 8, 1937.)

Sec. 15a. No person shall practice architecture or render any of the professional services for which a certificate of registration is required by this Act without having in effect, such a certificate of registration. The Director of the Department of Registration and Education may, in the name of the people of the State of Illinois through the Attorney General of the State of Illinois or the State's Attorney of any county in which such practice has occurred, file a complaint in equity to enjoin such unlawful

acts and to enjoin the further construction of any building for which such person has prepared the plans. Upon the filing of a verified petition in such cause, the court, if satisfied by affidavit or otherwise that such person is or has been practicing architecture in violation of this Act, may issue a temporary injunction without notice or bond, enjoining the defendant or defendants from further practicing architecture or continuing the construction of the building, or both, and further enjoining the construction of any building or structure where the plans, specifications, design or drawings have been prepared by a person practicing architecture in violation of this Act.

If it is established that a defendant has been or is practicing architecture without a valid, effective certificate of registration, the court may enter a decree perpetually enjoining the defendant from further practicing architecture. In case of violation of any injunction issued under the provisions of this section, the court may summarily try and punish the offender for contempt of court. Such injunction proceedings shall be in addition to and not in lieu of all penalties and other remedies provided in this Act. (Added by Act approved July 11, 1957.)

Sec. 16. Each of the following Acts constitutes a misdemeanor punishable upon conviction for the first offense by a fine of not less than \$200 nor more than \$500 or by imprisonment for not more than 6 months, or both, and for a second offense by a fine of not less than \$200 nor more than \$500 or by imprisonment for not more than one year, or both, for each offense, each day of continuing violation constituting a separate offense:

(a) the practice of architecture by any person or the advertising or putting out of any sign or card or other device which might indicate to the public that he or she is entitled

to practice as an architect, without a certificate of registration as a registered architect issued by the Department of Registration and Education of this State;

(b) the making of any wilfully false oath or affirmation in any matter or proceeding where an oath or affirmation is required by this Act;

(c) the affixing of a registered architect's seal to any plans, specifications or drawings which have not been prepared by him or under his immediate personal supervision;

(d) the violation of any provision of this Act;

(e) using or attempting to use an expired or revoked certificate of registration.

All fines and penalties shall inure to the county in which the violation occurs. (As amended by Act approved July 11, 1957.)

Sec. 17. The Department of Registration and Education shall keep a record open to public inspection at all reasonable times of its proceedings relating to the issuance, refusal, renewal, suspension or revocation of certificates of registration. This record shall also contain the name, place of business and residence, and the date and number of registration of each registered architect in this State.

The Department of Registration and Education shall make available, not less than 30 days before examination dates, a list of all applications for registration. (As amended by Act approved July 11, 1957.)

Sec. 18. The following Acts are hereby repealed: "An Act to provide for the licensing of architects and regulating the practice of architecture as a profession," approved June 3, 1897, and in force July 1, 1897, and the following Acts amendatory thereof, to-wit: An Act approved April 19, 1899, and in force July 1, 1899. An Act approved May 16, 1905, and in force July

1, 1905, and an Act approved May 26, 1911, and in force July 1, 1911.

Sec. 19. This Act may be known and cited as "The Illinois Architectural Act."

Sec. 20. The provisions of this Act are separable, and an adjudication that one or more provisions are invalid shall not affect the validity of any other provision. (Added by Act approved July 11, 1957.)



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The Illinois Architectural Act

Ill. Rev. Stat. 1967, Ch. 10½ Sec. 1-20.

STATE OF ILLINOIS
SAMUEL H. SHAPIRO, Governor



**DEPARTMENT OF
REGISTRATION AND EDUCATION**

JOHN C. WATSON, Director
SPRINGFIELD, ILLINOIS 62706

1968

(Printed by Authority of the State of Illinois)

THE ILLINOIS ARCHITECTURAL ACT

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THE ILLINOIS ARCHITECTURAL ACT

AN ACT to provide for the licensing of architects and to regulate the practice of architecture as a profession and to repeal certain Acts therein named. (Approved June 24, 1919. In force July 1, L. 1919, p. 218.)

Be it enacted by the People of the State of Illinois, represented in the General Assembly:

Sec. 1. [Unlawful to practice without certificate of registration.] It shall be unlawful for any person to practice architecture or advertise or put out any sign or card or other device which might indicate to the public that he or she is entitled to practice as an architect, without a certificate of registration as a registered architect, duly issued by the Department of Registration and Education under this Act, and as provided for in the Civil Administrative Code of Illinois.

Sec. 1a. [Application of act.] Nothing in this definition or in this Act shall be deemed or construed to prevent the practice of structural engineering as defined in the Illinois Structural Engineering Act or the practice of professional engineering as defined in the Illinois Professional Engineering Act. (Added by act approved July 11, 1957.)

Sec. 2. [Architect defined—Acts constituting practice.] Architect means a person who is technically qualified and registered under the laws of this State to practice architecture. The practice of architecture within the meaning and intent of the Act includes the offering or furnishing of any professional services such as consultation, planning, aesthetic and structural design, drawings and specifications, or responsible supervision of construction, or erection,

in connection with the construction of any private or public buildings, building structures, building projects, or addition to or alteration thereof. (As amended by act approved July 11, 1957.)

Sec. 3. [No license to corporations—When they may operate—Partnerships.] No corporation shall be licensed to practice architecture in this State or be granted a certificate of registration under this Act, but it shall be lawful for a stock company or a corporation to prepare drawings, plans and specifications for buildings and structures as defined in this Act which are constructed, erected, built, or their construction supervised by such stock company or corporation, provided that the chief executive officer or managing agent of such stock company or corporation in the State of Illinois shall be a registered architect under this Act, and provided further that the supervision of such buildings and structures shall be under the personal supervision of said registered architect and that such drawings, plans and specifications shall be prepared under the personal direction and supervision of such registered architect and bear the stamp of his official seal.

It shall be lawful, however, for one or more registered architects to enter a partnership with one or more licensed structural engineers, licensed under the laws of this State, for the practice of their professions.

Sec. 4. [Construction of act.] Nothing contained in this Act shall prevent the draftsmen, students, clerks of works, superintendents and other employes of those lawfully practicing as registered architects under the provisions of this Act, from acting under the instruction, control or supervision of their employers, or to prevent the employment of superintendents of the construction, enlargement or alteration of

buildings or any parts thereof, or prevent such superintendents from acting under the immediate personal supervision of the registered architect by whom the plans and specifications of any such building, enlargement or alteration were prepared. Nor shall anything contained in this Act prevent persons, mechanics or builders from making plans, specifications for or supervising the erection, enlargement or alteration of buildings or any parts thereof to be constructed by themselves or their own employes for their own use, provided that the working drawings for such construction are signed by the authors thereof with a true statement thereon of their relation to such construction and that the makers thereof are not architects:

Provided nothing in this Act contained shall be held or construed to have any application to any building, remodeling or repairing of any building or other structure outside of the corporate limits of any city or village, where such building or structure is to be, or is used for residential or farm purposes, or for the purposes of outbuildings or auxiliary buildings in connection with such residential or farm premises; nor shall this Act apply to the construction, remodeling or repairing of any building having 2,000 square feet or less of floor space, except in cases of remodeling involving structural changes the total cost of which exceeds \$10,000, provided that all buildings used by the general public shall come under the requirements of this Act, nor shall this Act apply to interior alterations of existing buildings which do not involve structural changes.

Nothing in this Act shall prevent counties, cities or incorporated areas from making laws or ordinances that are more stringent than those contained in this Act. (As amended by act approved July 11, 1957.)

Sec. 4a. [Powers and duties of Department of Registration and Education.] The Department of Registration and Education shall exercise, but subject to the provisions of this Act, the following functions, powers and duties:

(1) Conduct examinations to ascertain the qualifications and fitness of applicants for certificates of registration as registered architects, and pass upon the qualifications of applicants for reciprocal licenses, certificates and authorities;

(2) Prescribe rules and regulations for a method of examination of candidates;

(3) Prescribe rules and regulations defining what shall constitute a school, college or university, or department of a university, or other institution, reputable and in good standing, and to determine whether or not a school, college or university, or department of a university, or other institution is reputable and in good standing by reference to a compliance with such rules and regulations, and to terminate the approval of such school, college or university or department of a university or other institution as reputable and in good standing for non-compliance with such rules and regulations; provided that no school, college or university, or department of a university or other institution that refuses admittance to applicants solely on account of race, color or creed shall be considered reputable and in good standing;

(4) Establish a standard of preliminary education deemed requisite to admission to a school, college or university, and to require satisfactory proof of the enforcement of such standard by such schools, colleges and universities;

(5) Conduct hearings on proceedings to suspend or revoke or refuse renewal of licenses, certificates or authorities of persons applying for registration or registered under the provi-

sions of this Act and to revoke, suspend or refuse to renew such licenses or certificates or authorities;

(6) Formulate rules and regulations when required in any Act to be administered.

None of the foregoing functions or duties enumerated shall be exercised by the Department of Registration and Education except upon the action and report in writing of the Examining Committee which shall be composed of persons designated from time to time by the Director of Registration and Education to take such action and to make such report for the profession involved herein as follows:

Five registered architects, one of whom shall be a member of the architectural faculty of the University of Illinois, and the other four of whom shall be architects, residing in this State, who have been engaged in the practice of Architecture at least ten years.

The action or report in writing of a majority of the Committee designated shall be sufficient authority upon which the Director of Registration and Education may act.

In making the designation of persons to act, the Director shall give due consideration to recommendations by members of the profession and by organizations therein.

Whenever the Director is satisfied that substantial justice has not been done in an examination, he may order re-examinations by the same or other examiners. (As amended by act approved July 11, 1957.)

Sec. 5. [Qualifications of applicants.] Any person who is a citizen of the United States and is 21 years of age and of good moral character is qualified for an examination for a certificate of registration as a registered architect, provided he or she has graduated from a high school or secondary school, approved by the Department of Registration and Education, or has com-

pleted an equivalent course of study as determined by an examination approved by the Department of Registration and Education, and has subsequently thereto completed such courses in mathematics, history, language and other subjects, as may be prescribed by such Department, and has had at least 8 years' experience in the office or offices of a registered architect or architects, or, in lieu of not more than 5 years of such experience, has satisfactorily performed architectural studies in an approved school, college, university or department of a university or other institution, for which the Department may give credit for each year of such architectural studies in lieu of each year of experience required. (As amended by act approved July 15, 1963.)

Sec. 6. [Registration of foreign licenses.] Upon payment of the required fee, an applicant who is an architect, registered or licensed by examination under the laws of another state or territory of the United States, may, without examination, be granted a certificate of registration as a registered architect by the Department of Registration and Education upon the written approval of the examining committee and Director of the Department upon the following conditions:

(a) that the applicant is at least 21 years of age, of good moral character and temperate habits;

(b) that the requirements for the registration or licensing of architects in the particular state or territory were, at the date of the license, substantially equal to the requirements then in force in this State; and

(As amended by act approved July 11, 1957.)

Sec. 7. [Application.] Every person who desires to obtain a certificate of registration shall apply therefor to the Department of Registration and Education in writing, upon blanks pre-

pared and furnished by the Department of Registration and Education. Each application shall be verified by the applicant under oath and shall be accompanied by the required fee.

Sec. 8. [Examinations—Subjects.] The Department of Registration and Education shall hold examinations of applicants for certificates of registration as registered architects at such times and places as it may determine. The examination of applicants for certificates of registration as registered architects shall consist of written and drafting tests supplemented by verbal examination and shall embrace the following subjects:

(a) the planning, designing and construction of buildings;

(b) the strength of building materials;

(c) the principles of sanitation and ventilation as applied to buildings;

(d) the ability of the applicant to make practical application of his knowledge in the ordinary professional work of an architect and in the duties of a supervisor of mechanical work on buildings.

The Department of Registration and Education may by rule prescribe additional subjects for examination. (As amended by act approved July 11, 1957.)

Sec. 9. [Issuance of certificate.] Whenever the provisions of this Act have been complied with by an applicant the Department of Registration and Education shall issue a certificate of registration to the applicant as a registered architect, which certificate shall have the effect of a license to the person to whom it is issued to practice architecture in this State, subject to the provisions of this Act.

Any license or certificate of registration heretofore issued under the laws of this State authorizing its holder to practice architecture shall,

during the unexpired period for which it was issued, serve the same purpose as the certificate of registration provided for by this Act.

Sec. 10. [Exempt from provisions of Structural Engineers' Act.] Any person licensed to practice architecture in this State or registered as an architect under this Act shall be exempt from the provisions of any and all Acts in force in this State regulating the practice of structural engineering.

Sec. 11. [Display of certificate—Seal.] Every holder of a certificate of registration as a registered architect shall display it in a conspicuous place in his principal office.

Every registered architect shall have a seal, the impression of which shall contain the name of the architect and the words "Registered Architect", "State of Illinois" He shall stamp with this seal the first sheet of any bound set and any loose sheets of every set of working drawings and specifications prepared by him or under his supervision. Any seal heretofore authorized under the laws of this State shall serve the same purpose as the seal provided for by this Act. (As amended by act approved July 11, 1957.)

Sec. 12. [Renewal, restoration or reinstatement—Architects in military service.] Every registered architect who continues in active practice shall renew his certificate of registration on or before July 1 of each even numbered year and pay the required renewal fee. Every license or certificate of registration which has not been renewed during the month of July of any even numbered year shall expire on the first day of August of that year. A registered architect whose certificate of registration has expired may have his certificate of registration reinstated immediately upon payment of all lapsed

renewal fees and also upon payment of the required reinstatement fee, provided, however, not more than 5 years have elapsed since the date of expiration.

A registered architect whose certificate of registration has expired for more than 5 years may have his certificate restored only upon making application to the Department and submitting proof satisfactory to the Department of his fitness to have his certificate restored, and upon payment of the required restoration fee.

However, any registered architect whose certificate of registration has expired while he has been engaged (1) in federal service on active duty with the Army of the United States, the United States Navy, the Marine Corps, the Air Force, the Coast Guard, or the State Militia called into the service or training of the United States of America, or (2) in training or education under the supervision of the United States preliminary to induction into the military service, may have his certificate of registration restored or reinstated without paying any lapsed renewal fees, restoration fee or reinstatement fee if within 2 years after termination of such service, training or education other than by dishonorable discharge he furnishes the Department with an affidavit to the effect that he has been so engaged and that his service, training or education has been so terminated. (As amended by act approved July 15, 1963.)

Sec. 13. [Refusal, suspension and revocation of certificates—Causes.] The Department of Registration and Education may refuse to renew, may suspend or may revoke any certificate of registration for any one or any combination of the following causes:

(a) gross incompetency;

(b) recklessness in the designing, planning or supervision of construction of buildings or their appurtenances;

(c) dishonest practice;
 (d) conviction of the second violation of this Act;

(e) false or fraudulent representation in obtaining a certificate of registration as an architect;

(f) conviction in this or another State of any crime which is a felony under the laws of this State or conviction of a felony in a federal court;

(g) aiding another person to evade this Act;

(h) signing, affixing his seal or permitting his seal to be affixed to any plans, specifications or drawings not prepared by the architect himself or under his personal direction and supervision. (As amended by Act approved May 4, 1967.)

Sec. 13.1. [Refusal, suspension and revocation of certificates—Investigations—Notice and hearing.] The Department may upon its own motion and shall upon the verified complaint in writing of any person setting forth facts which if proven would constitute grounds for refusal, suspension or revocation as set forth in Section 13, investigate the actions of any person holding or claiming to hold a certificate. The Department shall, before refusing to issue, suspending or revoking any certificate, at least 10 days prior to the date set for the hearing, notify in writing the applicant or the holder of the certificate of any charges made and shall afford the accused person an opportunity to be heard in person or by counsel in reference thereto. The written notice may be served by delivery of the notice personally to the accused person, or by mailing the notice by registered mail to the place of business last theretofore specified by the accused person in his last notification to the Department. At the time and place fixed in the notice, the Examining Committee designated by the Director of Registration and Edu-

cation, as provided in this Act, shall proceed to hearing of the charges and both the accused person and the complainant shall be accorded ample opportunity to present in person or by counsel, such statements, testimony, evidence and argument as may be pertinent to the charges or to any defense thereto. The Committee may continue a hearing from time to time. If the Committee is not sitting at the time and place fixed in the notice or at the time and place to which the hearing has been continued, the Department shall continue the hearing for not more than 30 days. (Added by act approved May 4, 1967.)

Sec. 13-a. [Subpoena of witnesses — Oaths.] The Department shall have power to subpoena and bring before it any person in this State and to take testimony either orally or by deposition, or both, with the same fees and mileage and in the same manner as prescribed by law in judicial procedure in civil cases in courts of this State.

The Director, Assistant Director, Superintendent of Registration and any member of the Examining Committee shall each have power to administer oaths to witnesses at any hearing which the Department is authorized by law to conduct, and any other oaths required or authorized in any Act administered by the Department. (Added by act approved July 8, 1937.)

Sec. 13-b. [Procedure to compel attendance of witnesses.] Any circuit court or any judge thereof, upon the application of the accused person or complainant or of the Department, may by order duly entered, require the attendance of witnesses and the production of relevant books and papers before the Department in any hearing relative to the application for or refusal, recall, suspension or revocation of certificate of registration, and the court or judge

may compel obedience to its or his order by proceedings for contempt. (As amended by act approved Aug. 24, 1965.)

Sec. 13-c. [Record of proceeding.] The Department, at its expense, shall provide a stenographer to take down the testimony and preserve a record of all proceedings at the hearing of any case wherein a certificate is revoked or suspended. The notice of hearing, complaint and all other documents in the nature of pleadings and written motions filed in the proceedings, the transcript of testimony, the report of the Committee and the orders of the Department shall be the record of such proceedings. The Department shall furnish a transcript of such record to any person interested in such hearing upon payment therefor of twenty-five cents per one hundred words for each original transcript and eight cents per one hundred words for each carbon copy thereof ordered with the original: Provided that the charge for any part of such transcript ordered and paid for previous to the writing of the original record thereof shall be eight cents per hundred words. (Added by act approved July 8, 1937.)

Sec. 13-d. [Report of committee—Rehearing.] The committee shall present to the director its written report of its findings and recommendations. A copy of such report shall be served upon the accused person, either personally or by registered mail as provided in this Act for the service of the citation. Within twenty (20) days after such service, said accused person may present to the Department his motion in writing for a rehearing, which written motion shall specify the particular grounds therefor. If said accused person shall order and pay for a transcript of the record as provided in this section, the time elapsing thereafter and before such transcript is ready for delivery to him

shall not be counted as part of such twenty days.

Whenever the Director is satisfied that substantial justice has not been done, he may order a rehearing by the same or another special committee or, if satisfied that sufficient grounds for refusal to issue, or for suspension or revocation do not exist, may order the complaint dismissed. At the expiration of the time specified for filing a motion for a rehearing the Director shall have the right to take the action recommended by the committee. Upon the suspension or revocation of his certificate of registration, a registrant shall be required to surrender his certificate of registration to the Department, and upon his failure or refusal so to do, the Department shall have the right to seize the same. (Added by act approved July 8, 1937.)

Sec. 13-e. [Restoration of certificate.] At any time after the suspension or revocation of any certificate, the Department may restore it to the accused person without examination, upon the written recommendation of the examining Committee. (Added by act approved July 8, 1937.)

Sec. 13-f. [Review by court.] All final administrative decisions of the Department hereunder shall be subject to judicial review pursuant to the provisions of the "Administrative Review Act", approved May 8, 1945, and all amendments and modifications thereof, and the rules adopted pursuant thereto. The term "administrative decision" is defined as in Section 1 of the "Administrative Review Act."

Such proceedings for judicial review shall be commenced in the circuit court of the county in which the party applying for review resides; provided, that if such party is not a resident of this State, the venue shall be in Sangamon County.

The Department shall not be required to certify any record or file any answer or otherwise appear hereunder unless the party filing the complaint deposits with the clerk of the court the sum of 5 cents per 100 words representing costs of such certification. Failure on the part of the plaintiff to make such deposit shall be grounds for dismissal of the action. (As amended by act approved Aug. 24, 1965.)

Sec. 13-g. [Order to be prima facie proof.] An order of revocation or suspension or a certified copy thereof, over the seal of the Department and purporting to be signed by the Director shall be prima facie proof that

1. Such signature is the genuine signature of the Director.

2. That such Director is duly appointed and qualified.

3. That the Committee and the members thereof are qualified to act. Such proof may be rebutted. As amended by act approved July 30, 1949.

Sec. 13-h. [Appeal — Parties — Rules governing.] Appeals from all final orders and judgments entered by a circuit court in review of a final administrative decision of the Department may be taken by either party to the action and shall be governed by the rules for appeal applying to other civil cases. (As amended by act approved Aug. 24, 1965.)

Sec. 13-i. Repealed by act approved July 30, 1949.

Sec. 14. [Fees.] The fee to be paid by an applicant for both an examination to determine his fitness to receive a certificate of registration, and a certificate of registration is \$30.00.

The fee to be paid by an applicant for the second and each subsequent examination is \$25.00.

The fee to be paid for the reinstatement of a certificate of registration which has expired for not more than 5 years is \$5.00 plus all lapsed renewal fees.

The fee to be paid for the restoration of a certificate of registration which has expired for more than 5 years is \$75.00.

The fee to be paid upon the renewal of a certificate of registration is \$20.00.

The fee to be paid for the issuance of a duplicate certificate of registration which has been lost or destroyed or for the issuance of a certificate in a new name is \$5.00.

The fee to be paid by an applicant for a certificate of registration who is an architect registered or licensed under the laws of another state or territory of the United States or of a foreign country or province is \$50. (As amended by act approved July 15, 1963.)

Sec. 15. Repealed by act approved July 8, 1937.

Sec. 15a. [Practice without license forbidden—Injunction.] No person shall practice architecture or render any of the professional services for which a certificate of registration is required by this Act without having, in effect, such a certificate of registration. The Director of the Department of Registration and Education may, in the name of the people of the State of Illinois through the Attorney General of the State of Illinois or the State's Attorney of any county in which such practice has occurred, file a complaint in equity to enjoin such unlawful acts and to enjoin the further construction of any building for which such person has prepared the plans. Upon the filing of a verified petition in such cause, the court, if satisfied by affidavit or otherwise that such person is or has been practicing architecture in violation of this Act, may issue a temporary injunction

without notice or bond, enjoining the defendant or defendants from further practicing architecture or continuing the construction of the building, or both, and further enjoining the construction of any building or structure where the plans, specifications, design or drawings have been prepared by a person practicing architecture in violation of this Act.

If it is established that a defendant has been or is practicing architecture without a valid, effective certificate of registration, the court may enter a decree perpetually enjoining the defendant from further practicing architecture. In case of violation of any injunction issued under the provisions of this section, the court may summarily try and punish the offender for contempt of court. Such injunction proceedings shall be in addition to and not in lieu of all penalties and other remedies provided in this Act. (Added by act approved July 11, 1957.)

Sec. 16. [Violations—Penalty.] Each of the following Acts constitutes a misdemeanor punishable upon conviction for the first offense by a fine of not less than \$200 nor more than \$500 or by imprisonment for not more than 6 months, or both, and for a second offense by a fine of not less than \$200 nor more than \$500 or by imprisonment for not more than one year, or both, for each offense, each day of continuing violation constituting a separate offense:

(a) the practice of architecture by any person or the advertising or putting out of any sign or card or other device which might indicate to the public that he or she is entitled to practice as an architect, without a certificate of registration as a registered architect issued by the Department of Registration and Education of this State;

(b) the making of any wilfully false oath or affirmation in any matter or proceeding where an oath or affirmation is required by this Act;

(c) the affixing of a registered architect's seal to any plans, specifications or drawings which have not been prepared by him or under his immediate personal supervision;

(d) the violation of any provision of this Act;

(e) using or attempting to use an expired or revoked certificate of registration;

All fines and penalties shall inure to the county in which the violation occurs. (As amended by act approved July 11, 1957.)

Sec. 17. [Department to keep record.] The Department of Registration and Education shall keep a record open to public inspection at all reasonable times of its proceedings relating to the issuance, refusal, renewal, suspension or revocation of certificates of registration. This record shall also contain the name, place of business and residence, and the date and number of registration of each registered architect in this State.

The Department of Registration and Education shall make available, not less than 30 days before examination dates, a list of all applications for registration. (As amended by act approved July 11, 1957.)

Sec. 18. [Repeal.]

Sec. 19. [Act to be known as Illinois Architectural Act.] This Act may be known and cited as "The Illinois Architectural Act."

Sec. 20. [Partial invalidity.] The provisions of this Act are separable, and an adjudication that one or more provisions are invalid shall not affect the validity of any other provision (Added by act approved July 11, 1957.)



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The Illinois Architectural Act

Ill. Rev. Stat. 1967, Ch. 10½ Sec. 1-20.

STATE OF ILLINOIS
RICHARD B. OGILVIE, Governor



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REGISTRATION AND EDUCATION

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SPRINGFIELD, ILLINOIS 62706

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(Printed by Authority of the State of Illinois)

THE ILLINOIS ARCHITECTURAL ACT

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THE ILLINOIS ARCHITECTURAL ACT

AN ACT to provide for the licensing of architects and to regulate the practice of architecture as a profession and to repeal certain Acts therein named. (Approved June 24, 1919. In force July 1, L. 1919, p. 218.)

Be it enacted by the People of the State of Illinois, represented in the General Assembly:

Sec. 1. [Unlawful to practice without certificate of registration.] It shall be unlawful for any person to practice architecture or advertise or put out any sign or card or other device which might indicate to the public that he or she is entitled to practice as an architect, without a certificate of registration as a registered architect, duly issued by the Department of Registration and Education under this Act, and as provided for in the Civil Administrative Code of Illinois.

Sec. 1a. [Application of act.] Nothing in this definition or in this Act shall be deemed or construed to prevent the practice of structural engineering as defined in the Illinois Structural Engineering Act or the practice of professional engineering as defined in the Illinois Professional Engineering Act. (Added by act approved July 11, 1957.)

Sec. 2. [Architect defined—Acts constituting practice.] Architect means a person who is technically qualified and registered under the laws of this State to practice architecture. The practice of architecture within the meaning and intent of the Act includes the offering or furnishing of any professional services such as consultation, planning, aesthetic and structural design, drawings and specifications, or responsible supervision of construction, or erection,

in connection with the construction of any private or public buildings, building structures, building projects, or addition to or alteration thereof. (As amended by act approved July 11, 1957.)

Sec. 3. [No license to corporations—When they may operate—Partnerships.] No corporation shall be licensed to practice architecture in this State or be granted a certificate of registration under this Act, but it shall be lawful for a stock company or a corporation to prepare drawings, plans and specifications for buildings and structures as defined in this Act which are constructed, erected, built, or their construction supervised by such stock company or corporation, provided that the chief executive officer or managing agent of such stock company or corporation in the State of Illinois shall be a registered architect under this Act, and provided further that the supervision of such buildings and structures shall be under the personal supervision of said registered architect and that such drawings, plans and specifications shall be prepared under the personal direction and supervision of such registered architect and bear the stamp of his official seal.

It shall be lawful, however, for one or more registered architects to enter a partnership with one or more licensed structural engineers, licensed under the laws of this State, for the practice of their professions.

Sec. 4. [Construction of act.] Nothing contained in this Act shall prevent the draftsmen, students, clerks of works, superintendents and other employes of those lawfully practicing as registered architects under the provisions of this Act, from acting under the instruction, control or supervision of their employers, or to prevent the employment of superintendents of the construction, enlargement or alteration of

buildings or any parts thereof, or prevent such superintendents from acting under the immediate personal supervision of the registered architect by whom the plans and specifications of any such building, enlargement or alteration were prepared. Nor shall anything contained in this Act prevent persons, mechanics or builders from making plans, specifications for or supervising the erection, enlargement or alteration of buildings or any parts thereof to be constructed by themselves or their own employes for their own use, provided that the working drawings for such construction are signed by the authors thereof with a true statement thereon of their relation to such construction and that the makers thereof are not architects:

Provided nothing in this Act contained shall be held or construed to have any application to any building, remodeling or repairing of any building or other structure outside of the corporate limits of any city or village, where such building or structure is to be, or is used for residential or farm purposes, or for the purposes of outbuildings or auxiliary buildings in connection with such residential or farm premises; nor shall this Act apply to the construction, remodeling or repairing of any building having 2,000 square feet or less of floor space, except in cases of remodeling involving structural changes the total cost of which exceeds \$10,000, provided that all buildings used by the general public shall come under the requirements of this Act, nor shall this Act apply to interior alterations of existing buildings which do not involve structural changes.

Nothing in this Act shall prevent counties, cities or incorporated areas from making laws or ordinances that are more stringent than those contained in this Act. (As amended by act approved July 11, 1957.)

Sec. 4a. [Powers and duties of Department of Registration and Education.] The Department of Registration and Education shall exercise, but subject to the provisions of this Act, the following functions, powers and duties:

(1) Conduct examinations to ascertain the qualifications and fitness of applicants for certificates of registration as registered architects, and pass upon the qualifications of applicants for reciprocal licenses, certificates and authorities;

(2) Prescribe rules and regulations for a method of examination of candidates;

(3) Prescribe rules and regulations defining what shall constitute a school, college or university, or department of a university, or other institution, reputable and in good standing, and to determine whether or not a school, college or university, or department of a university, or other institution is reputable and in good standing by reference to a compliance with such rules and regulations, and to terminate the approval of such school, college or university or department of a university or other institution as reputable and in good standing for non-compliance with such rules and regulations; provided that no school, college or university, or department of a university or other institution that refuses admittance to applicants solely on account of race, color or creed shall be considered reputable and in good standing;

(4) Establish a standard of preliminary education deemed requisite to admission to a school, college or university, and to require satisfactory proof of the enforcement of such standard by such schools, colleges and universities;

(5) Conduct hearings on proceedings to suspend or revoke or refuse renewal of licenses, certificates or authorities of persons applying for registration or registered under the provi-

sions of this Act and to revoke, suspend or refuse to renew such licenses or certificates or authorities;

(6) Formulate rules and regulations when required in any Act to be administered.

None of the foregoing functions or duties enumerated shall be exercised by the Department of Registration and Education except upon the action and report in writing of the Examining Committee which shall be composed of persons designated from time to time by the Director of Registration and Education to take such action and to make such report for the profession involved herein as follows:

Five registered architects, one of whom shall be a member of the architectural faculty of the University of Illinois, and the other four of whom shall be architects, residing in this State, who have been engaged in the practice of Architecture at least ten years.

The action or report in writing of a majority of the Committee designated shall be sufficient authority upon which the Director of Registration and Education may act.

In making the designation of persons to act, the Director shall give due consideration to recommendations by members of the profession and by organizations therein.

Whenever the Director is satisfied that substantial justice has not been done in an examination, he may order re-examinations by the same or other examiners. (As amended by act approved July 11, 1957.)

Sec. 5. [Qualifications of applicants.] Any person who is a citizen of the United States and is 21 years of age and of good moral character is qualified for an examination for a certificate of registration as a registered architect, provided he or she has graduated from a high school or secondary school, approved by the Department of Registration and Education, or has com-

pleted an equivalent course of study as determined by an examination approved by the Department of Registration and Education, and has subsequently thereto completed such courses in mathematics, history, language and other subjects, as may be prescribed by such Department, and has had at least 8 years' experience in the office or offices of a registered architect or architects, or, in lieu of not more than 5 years of such experience, has satisfactorily performed architectural studies in an approved school, college, university or department of a university or other institution, for which the Department may give credit for each year of such architectural studies in lieu of each year of experience required. (As amended by act approved July 15, 1963.)

Sec. 6. [Registration of foreign licenses.] Upon payment of the required fee, an applicant who is an architect, registered or licensed by examination under the laws of another state or territory of the United States, may, without examination, be granted a certificate of registration as a registered architect by the Department of Registration and Education upon the written approval of the examining committee and Director of the Department upon the following conditions:

(a) that the applicant is at least 21 years of age, of good moral character and temperate habits;

(b) that the requirements for the registration or licensing of architects in the particular state or territory were, at the date of the license, substantially equal to the requirements then in force in this State; and

(As amended by act approved July 11, 1957.)

Sec. 7. [Application.] Every person who desires to obtain a certificate of registration shall apply therefor to the Department of Registration and Education in writing, upon blanks pre-

pared and furnished by the Department of Registration and Education. Each application shall be verified by the applicant under oath and shall be accompanied by the required fee.

Sec. 8. [Examinations—Subjects—Failure or refusal to take examination.] The Department of Registration and Education shall hold examinations of applicants for certificates of registration as registered architects at such times and places as it may determine. The examination of applicants for certificates of registration as registered architects shall consist of written and drafting tests supplemented by verbal examination and shall embrace the following subjects:

(a) the planning, designing and construction of buildings;

(b) the strength of building materials;

(c) the principles of sanitation and ventilation as applied to buildings;

(d) the ability of the applicant to make practical application of his knowledge in the ordinary professional work of an architect and in the duties of a supervisor of mechanical work on buildings.

If an applicant neglects, fails or refuses to take an examination for registration under this Act within 3 years after filing his application, the fee paid by the applicant shall be forfeited to the Department and the application denied. However, such applicant may thereafter make a new application for examination, accompanied by the required fee.

The Department of Registration and Education may by rule prescribe additional subjects for examination. (As amended by act approved May 15, 1969.)

Sec. 9. [Issuance of certificate.] Whenever the provisions of this Act have been complied with by an applicant the Department of Registration and Education shall issue a certificate of

registration to the applicant as a registered architect, which certificate shall have the effect of a license to the person to whom it is issued to practice architecture in this State, subject to the provisions of this Act.

Any license or certificate of registration heretofore issued under the laws of this State authorizing its holder to practice architecture shall, during the unexpired period for which it was issued, serve the same purpose as the certificate of registration provided for by this Act.

Sec. 10. [Exempt from provisions of Structural Engineers' Act.] Any person licensed to practice architecture in this State or registered as an architect under this Act shall be exempt from the provisions of any and all Acts in force in this State regulating the practice of structural engineering.

Sec. 11. [Display of certificate—Seal.] Every holder of a certificate of registration as a registered architect shall display it in a conspicuous place in his principal office.

Every registered architect shall have a seal, the impression of which shall contain the name of the architect and the words "Registered Architect", "State of Illinois". He shall stamp with this seal the first sheet of any bound set and any loose sheets of every set of working drawings and specifications prepared by him or under his supervision. Any seal heretofore authorized under the laws of this State shall serve the same purpose as the seal provided for by this Act. (As amended by act approved July 11, 1957.)

Sec. 12. [Renewal, restoration or reinstatement—Architects in military service.] Every registered architect who continues in active practice shall renew his certificate of registration on or before July 1 of each even numbered year and pay the required renewal fee. Every

license or certificate of registration which has not been renewed during the month of July of any even numbered year shall expire on the first day of August of that year. A registered architect whose certificate of registration has expired may have his certificate of registration reinstated immediately upon payment of all lapsed renewal fees and also upon payment of the required reinstatement fee, provided, however, not more than 5 years have elapsed since the date of expiration.

A registered architect whose certificate of registration has expired for more than 5 years may have his certificate restored only upon making application to the Department and submitting proof satisfactory to the Department of his fitness to have his certificate restored, and upon payment of the required restoration fee.

However, any registered architect whose certificate of registration has expired while he has been engaged (1) in federal service on active duty with the Army of the United States, the United States Navy, the Marine Corps, the Air Force, the Coast Guard, or the State Militia called into the service or training of the United States of America, or (2) in training or education under the supervision of the United States preliminary to induction into the military service, may have his certificate of registration restored or reinstated without paying any lapsed renewal fees, restoration fee or reinstatement fee if within 2 years after termination of such service, training or education other than by dishonorable discharge he furnishes the Department with an affidavit to the effect that he has been so engaged and that his service, training or education has been so terminated. (As amended by act approved July 15, 1963.)

Sec. 13. [Refusal, suspension and revocation of certificates—Causes.] The Department of Registration and Education may refuse to re-

new, may suspend or may revoke any certificate of registration for any one or any combination of the following causes:

(a) gross incompetency;

(b) recklessness in the designing, planning or supervision of construction of buildings or their appurtenances;

(c) dishonest practice;

(d) conviction of the second violation of this Act;

(e) false or fraudulent representation in obtaining a certificate of registration as an architect;

(f) conviction in this or another State of any crime which is a felony under the laws of this State or conviction of a felony in a federal court;

(g) aiding another person to evade this Act;

(h) signing, affixing his seal or permitting his seal to be affixed to any plans, specifications or drawings not prepared by the architect himself or under his personal direction and supervision. (As amended by Act approved May 4, 1967.)

Sec. 13.1. [Refusal, suspension and revocation of certificates—Investigations—Notice and hearing.] The Department may upon its own motion and shall upon the verified complaint in writing of any person setting forth facts which if proven would constitute grounds for refusal, suspension or revocation as set forth in Section 13, investigate the actions of any person holding or claiming to hold a certificate. The Department shall, before refusing to issue, suspending or revoking any certificate, at least 10 days prior to the date set for the hearing, notify in writing the applicant or the holder of the certificate of any charges made and shall afford the accused person an opportunity to be heard in person or by counsel in reference thereto. The written notice may be served by delivery

of the notice personally to the accused person, or by mailing the notice by registered mail to the place of business last theretofore specified by the accused person in his last notification to the Department. At the time and place fixed in the notice, the Examining Committee designated by the Director of Registration and Education, as provided in this Act, shall proceed to hearing of the charges and both the accused person and the complainant shall be accorded ample opportunity to present in person or by counsel, such statements, testimony, evidence and argument as may be pertinent to the charges or to any defense thereto. The Committee may continue a hearing from time to time. If the Committee is not sitting at the time and place fixed in the notice or at the time and place to which the hearing has been continued, the Department shall continue the hearing for not more than 30 days. (Added by act approved May 4, 1967.)

Sec. 13-a. [Subpoena of witnesses — Oaths.] The Department shall have power to subpoena and bring before it any person in this State and to take testimony either orally or by deposition, or both, with the same fees and mileage and in the same manner as prescribed by law in judicial procedure in civil cases in courts of this State.

The Director, Assistant Director, Superintendent of Registration and any member of the Examining Committee shall each have power to administer oaths to witnesses at any hearing which the Department is authorized by law to conduct, and any other oaths required or authorized in any Act administered by the Department. (Added by act approved July 8, 1937.)

Sec. 13-b. [Procedure to compel attendance of witnesses.] Any circuit court or any judge thereof, upon the application of the accused per-

son or complainant or of the Department, may by order duly entered, require the attendance of witnesses and the production of relevant books and papers before the Department in any hearing relative to the application for or refusal, recall, suspension or revocation of certificate of registration, and the court or judge may compel obedience to its or his order by proceedings for contempt. (As amended by act approved Aug. 24, 1965.)

Sec. 13-c. [Record of proceeding.] The Department, at its expense, shall provide a stenographer to take down the testimony and preserve a record of all proceedings at the hearing of any case wherein a certificate is revoked or suspended. The notice of hearing, complaint and all other documents in the nature of pleadings and written motions filed in the proceedings, the transcript of testimony, the report of the Committee and the orders of the Department shall be the record of such proceedings. The Department shall furnish a transcript of such record to any person interested in such hearing upon payment therefor of twenty-five cents per one hundred words for each original transcript and eight cents per one hundred words for each carbon copy thereof ordered with the original: Provided that the charge for any part of such transcript ordered and paid for previous to the writing of the original record thereof shall be eight cents per hundred words. (Added by act approved July 8, 1937.)

Sec. 13-d. [Report of committee—Rehearing.] The committee shall present to the director its written report of its findings and recommendations. A copy of such report shall be served upon the accused person, either personally or by registered mail as provided in this Act for the service of the citation. Within twenty (20) days after such service, said accused person may present to the Department his motion in

writing for a rehearing, which written motion shall specify the particular grounds therefor. If said accused person shall order and pay for a transcript of the record as provided in this section, the time elapsing thereafter and before such transcript is ready for delivery to him shall not be counted as part of such twenty days.

Whenever the Director is satisfied that substantial justice has not been done, he may order a rehearing by the same or another special committee or, if satisfied that sufficient grounds for refusal to issue, or for suspension or revocation do not exist, may order the complaint dismissed. At the expiration of the time specified for filing a motion for a rehearing the Director shall have the right to take the action recommended by the committee. Upon the suspension or revocation of his certificate of registration, a registrant shall be required to surrender his certificate of registration to the Department, and upon his failure or refusal so to do, the Department shall have the right to seize the same. (Added by act approved July 8, 1937.)

Sec. 13-e. [Restoration of certificate.] At any time after the suspension or revocation of any certificate, the Department may restore it to the accused person without examination, upon the written recommendation of the examining Committee. (Added by act approved July 8, 1937.)

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1. Such signature is the genuine signature of the Director.

2. That such Director is duly appointed and qualified.

3. That the Committee and the members thereof are qualified to act. Such proof may be rebutted. As amended by act approved July 30, 1949.

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acts and to enjoin the further construction of any building for which such person has prepared the plans. Upon the filing of a verified petition in such cause, the court, if satisfied by affidavit or otherwise that such person is or has been practicing architecture in violation of this Act, may issue a temporary injunction without notice or bond, enjoining the defendant or defendants from further practicing architecture or continuing the construction of the building, or both, and further enjoining the construction of any building or structure where the plans, specifications, design or drawings have been prepared by a person practicing architecture in violation of this Act.

If it is established that a defendant has been or is practicing architecture without a valid, effective certificate of registration, the court may enter a decree perpetually enjoining the defendant from further practicing architecture. In case of violation of any injunction issued under the provisions of this section, the court may summarily try and punish the offender for contempt of court. Such injunction proceedings shall be in addition to and not in lieu of all penalties and other remedies provided in this Act. (Added by act approved July 11, 1957.)

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(a) the practice of architecture by any person or the advertising or putting out of any sign or card or other device which might indicate to the public that he or she is entitled to

practice as an architect, without a certificate of registration as a registered architect issued by the Department of Registration and Education of this State;

(b) the making of any wilfully false oath or affirmation in any matter or proceeding where an oath or affirmation is required by this Act;

(c) the affixing of a registered architect's seal to any plans, specifications or drawings which have not been prepared by him or under his immediate personal supervision;

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All fines and penalties shall inure to the county in which the violation occurs. (As amended by act approved July 11, 1957.)

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Sec. 19. [Act to be known as Illinois Architectural Act.] This Act may be known and cited as "The Illinois Architectural Act."

Sec. 20. [Partial invalidity.] The provisions of this Act are separable, and an adjudication that one or more provisions are invalid shall not affect the validity of any other provision. (Added by act approved July 11, 1957.)



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The Illinois Architectural Act

Ill. Rev. Stat. 1969, Ch. 10½ Sec. 1-20.

STATE OF ILLINOIS
RICHARD B. OGILVIE, Governor



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1972

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THE ILLINOIS ARCHITECTURAL ACT

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THE ILLINOIS ARCHITECTURAL ACT

AN ACT to provide for the licensing of architects and to regulate the practice of architecture as a profession and to repeal certain Acts therein named. (Approved June 24, 1919. In force July 1, L. 1919, p. 218.)

Be it enacted by the People of the State of Illinois, represented in the General Assembly:

Sec. 1. [Unlawful to practice without certificate of registration.] It shall be unlawful for any person to practice architecture or advertise or put out any sign or card or other device which might indicate to the public that he or she is entitled to practice as an architect, without a certificate of registration as a registered architect, duly issued by the Department of Registration and Education under this Act, and as provided for in the Civil Administrative Code of Illinois.

Sec. 1a. [Application of act.] Nothing in this definition or in this Act shall be deemed or construed to prevent the practice of structural engineering as defined in the Illinois Structural Engineering Act or the practice of professional engineering as defined in the Illinois Professional Engineering Act. (Added by act approved July 11, 1957.)

Sec. 2. [Architect defined—Acts constituting practice.] Architect means a person who is technically qualified and registered under the laws of this State to practice architecture. The practice of architecture within the meaning and intent of the Act includes the offering or furnishing of any professional services such as consultation, planning, aesthetic and structural design, drawings and specifications, or responsible supervision of construction, or erection,

in connection with the construction of any private or public buildings, building structures, building projects, or addition to or alteration thereof. (As amended by act approved July 11, 1957.)

Sec. 3. [No license to corporations—When they may operate—Partnerships.] No corporation shall be licensed to practice architecture in this State or be granted a certificate of registration under this Act, but it shall be lawful for a stock company or a corporation to prepare drawings, plans and specifications for buildings and structures as defined in this Act which are constructed, erected, built, or their construction supervised by such stock company or corporation, provided that the chief executive officer or managing agent of such stock company or corporation in the State of Illinois shall be a registered architect under this Act, and provided further that the supervision of such buildings and structures shall be under the personal supervision of said registered architect and that such drawings, plans and specifications shall be prepared under the personal direction and supervision of such registered architect and bear the stamp of his official seal.

It shall be lawful, however, for one or more registered architects to enter a partnership with one or more licensed structural engineers, licensed under the laws of this State, for the practice of their professions.

Sec. 4. [Construction of act.] Nothing contained in this Act shall prevent the draftsmen, students, clerks of works, superintendents and other employes of those lawfully practicing as registered architects under the provisions of this Act, from acting under the instruction, control or supervision of their employers, or to prevent the employment of superintendents of the construction, enlargement or alteration of

buildings or any parts thereof, or prevent such superintendents from acting under the immediate personal supervision of the registered architect by whom the plans and specifications of any such building, enlargement or alteration were prepared. Nor shall anything contained in this Act prevent persons, mechanics or builders from making plans, specifications for or supervising the erection, enlargement or alteration of buildings or any parts thereof to be constructed by themselves or their own employes for their own use, provided that the working drawings for such construction are signed by the authors thereof with a true statement thereon of their relation to such construction and that the makers thereof are not architects:

Provided nothing in this Act contained shall be held or construed to have any application to any building, remodeling or repairing of any building or other structure outside of the corporate limits of any city or village, where such building or structure is to be, or is used for residential or farm purposes, or for the purposes of outbuildings or auxiliary buildings in connection with such residential or farm premises; nor shall this Act apply to the construction, remodeling or repairing of any building having 2,000 square feet or less of floor space, except in cases of remodeling involving structural changes the total cost of which exceeds \$10,000, provided that all buildings used by the general public shall come under the requirements of this Act, nor shall this Act apply to interior alterations of existing buildings which do not involve structural changes.

Nothing in this Act shall prevent counties, cities or incorporated areas from making laws or ordinances that are more stringent than those contained in this Act. (As amended by act approved July 11, 1957.)

Sec. 4a. [Powers and duties of Department of Registration and Education.] The Department of Registration and Education shall exercise, but subject to the provisions of this Act, the following functions, powers and duties:

(1) Conduct examinations to ascertain the qualifications and fitness of applicants for certificates of registration as registered architects, and pass upon the qualifications of applicants for reciprocal licenses, certificates and authorities;

(2) Prescribe rules and regulations for a method of examination of candidates;

(3) Prescribe rules and regulations defining what shall constitute a school, college or university, or department of a university, or other institution, reputable and in good standing, and to determine whether or not a school, college or university, or department of a university, or other institution is reputable and in good standing by reference to a compliance with such rules and regulations, and to terminate the approval of such school, college or university or department of a university or other institution as reputable and in good standing for non-compliance with such rules and regulations; provided that no school, college or university, or department of a university or other institution that refuses admittance to applicants solely on account of race, color or creed shall be considered reputable and in good standing;

(4) Establish a standard of preliminary education deemed requisite to admission to a school, college or university, and to require satisfactory proof of the enforcement of such standard by such schools, colleges and universities;

(5) Conduct hearings on proceedings to suspend or revoke or refuse renewal of licenses, certificates or authorities of persons applying for registration or registered under the provi-

sions of this Act and to revoke, suspend or refuse to renew such licenses or certificates or authorities;

(6) Formulate rules and regulations when required in any Act to be administered.

None of the foregoing functions or duties enumerated shall be exercised by the Department of Registration and Education except upon the action and report in writing of the Examining Committee which shall be composed of persons designated from time to time by the Director of Registration and Education to take such action and to make such report for the profession involved herein as follows:

Five registered architects, one of whom shall be a member of the architectural faculty of the University of Illinois, and the other four of whom shall be architects, residing in this State, who have been engaged in the practice of Architecture at least ten years.

The action or report in writing of a majority of the Committee designated shall be sufficient authority upon which the Director of Registration and Education may act.

In making the designation of persons to act, the Director shall give due consideration to recommendations by members of the profession and by organizations therein.

Whenever the Director is satisfied that substantial justice has not been done in an examination, he may order re-examinations by the same or other examiners. (As amended by act approved July 11, 1957.)

Sec. 5. [Qualifications of applicants.] Any person who is a citizen of the United States and is 21 years of age and of good moral character is qualified for an examination for a certificate of registration as a registered architect, provided he or she has graduated from a high school or secondary school, approved by the Department of Registration and Education, or has com-

pleted an equivalent course of study as determined by an examination approved by the Department of Registration and Education, and has subsequently thereto completed such courses in mathematics, history, language and other subjects, as may be prescribed by such Department, and has had at least 8 years' experience in the office or offices of a registered architect or architects, or, in lieu of not more than 5 years of such experience, has satisfactorily performed architectural studies in an approved school, college, university or department of a university or other institution, for which the Department may give credit for each year of such architectural studies in lieu of each year of experience required. (As amended by act approved July 15, 1963.)

Sec. 6. [Registration of foreign licenses.]

Upon payment of the required fee, an applicant who is an architect, registered or licensed by examination under the laws of another state or territory of the United States, may, without examination, be granted a certificate of registration as a registered architect by the Department of Registration and Education upon the written approval of the examining committee and Director of the Department upon the following conditions:

(a) that the applicant is at least 21 years of age, of good moral character and temperate habits;

(b) that the requirements for the registration or licensing of architects in the particular state or territory were, at the date of the license, substantially equal to the requirements then in force in this State; and

(As amended by act approved July 11, 1957.)

Sec. 7. [Application.] Every person who desires to obtain a certificate of registration shall apply therefor to the Department of Registration and Education in writing, upon blanks pre-

pared and furnished by the Department of Registration and Education. Each application shall be verified by the applicant under oath and shall be accompanied by the required fee.

Sec. 8. [Examinations—Subjects—Failure or refusal to take examination.] The Department of Registration and Education shall hold examinations of applicants for certificates of registration as registered architects at such times and places as it may determine. The examination of applicants for certificates of registration as registered architects shall consist of written and drafting tests supplemented by verbal examination and shall embrace the following subjects:

(a) the planning, designing and construction of buildings;

(b) the strength of building materials;

(c) the principles of sanitation and ventilation as applied to buildings;

(d) the ability of the applicant to make practical application of his knowledge in the ordinary professional work of an architect and in the duties of a supervisor of mechanical work on buildings.

If an applicant neglects, fails or refuses to take an examination for registration under this Act within 3 years after filing his application, the fee paid by the applicant shall be forfeited to the Department and the application denied. However, such applicant may thereafter make a new application for examination, accompanied by the required fee.

The Department of Registration and Education may by rule prescribe additional subjects for examination. (As amended by act approved May 15, 1969.)

Sec. 9. [Issuance of certificate.] Whenever the provisions of this Act have been complied with by an applicant the Department of Registration and Education shall issue a certificate of

registration to the applicant as a registered architect, which certificate shall have the effect of a license to the person to whom it is issued to practice architecture in this State, subject to the provisions of this Act.

Any license or certificate of registration heretofore issued under the laws of this State authorizing its holder to practice architecture shall, during the unexpired period for which it was issued, serve the same purpose as the certificate of registration provided for by this Act.

Sec. 10. [Exempt from provisions of Structural Engineers' Act.] Any person licensed to practice architecture in this State or registered as an architect under this Act shall be exempt from the provisions of any and all Acts in force in this State regulating the practice of structural engineering.

Sec. 11. [Display of certificate—Seal.] Every holder of a certificate of registration as a registered architect shall display it in a conspicuous place in his principal office.

Every registered architect shall have a seal, the impression of which shall contain the name of the architect and the words "Registered Architect", "State of Illinois". He shall stamp with this seal the first sheet of any bound set and any loose sheets of every set of working drawings and specifications prepared by him or under his supervision. Any seal heretofore authorized under the laws of this State shall serve the same purpose as the seal provided for by this Act. (As amended by act approved July 11, 1957.)

Sec. 12. [Renewal, restoration or reinstatement—Architects in military service.] Every registered architect who continues in active practice shall renew his certificate of registration on or before July 1 of each even numbered year and pay the required renewal fee. Every

license or certificate of registration which has not been renewed during the month of July of any even numbered year shall expire on the first day of August of that year. A registered architect whose certificate of registration has expired may have his certificate of registration reinstated immediately upon payment of all lapsed renewal fees and also upon payment of the required reinstatement fee, provided, however, not more than 5 years have elapsed since the date of expiration.

A registered architect whose certificate of registration has expired for more than 5 years may have his certificate restored only upon making application to the Department and submitting proof satisfactory to the Department of his fitness to have his certificate restored, and upon payment of the required restoration fee.

However, any registered architect whose certificate of registration has expired while he has been engaged (1) in federal service on active duty with the Army of the United States, the United States Navy, the Marine Corps, the Air Force, the Coast Guard, or the State Militia called into the service or training of the United States of America, or (2) in training or education under the supervision of the United States preliminary to induction into the military service, may have his certificate of registration restored or reinstated without paying any lapsed renewal fees, restoration fee or reinstatement fee if within 2 years after termination of such service, training or education other than by dishonorable discharge he furnishes the Department with an affidavit to the effect that he has been so engaged and that his service, training or education has been so terminated. (As amended by act approved July 15, 1963.)

Sec. 13. [Refusal, suspension and revocation of certificates—Causes.] The Department of Registration and Education may refuse to re-

new, may suspend or may revoke any certificate of registration for any one or any combination of the following causes:

- (a) gross incompetency;
- (b) recklessness in the designing, planning or supervision of construction of buildings or their appurtenances;
- (c) dishonest practice;
- (d) conviction of the second violation of this Act;
- (e) false or fraudulent representation in obtaining a certificate of registration as an architect;
- (f) conviction in this or another State of any crime which is a felony under the laws of this State or conviction of a felony in a federal court;
- (g) aiding another person to evade this Act;
- (h) signing, affixing his seal or permitting his seal to be affixed to any plans, specifications or drawings not prepared by the architect himself or under his personal direction and supervision. (As amended by Act approved May 4, 1967.)

Sec. 13.1. [Refusal, suspension and revocation of certificates—Investigations—Notice and hearing.] The Department may upon its own motion and shall upon the verified complaint in writing of any person setting forth facts which if proven would constitute grounds for refusal, suspension or revocation as set forth in Section 13, investigate the actions of any person holding or claiming to hold a certificate. The Department shall, before refusing to issue, suspending or revoking any certificate, at least 10 days prior to the date set for the hearing, notify in writing the applicant or the holder of the certificate of any charges made and shall afford the accused person an opportunity to be heard in person or by counsel in reference thereto. The written notice may be served by delivery

of the notice personally to the accused person, or by mailing the notice by registered mail to the place of business last theretofore specified by the accused person in his last notification to the Department. At the time and place fixed in the notice, the Examining Committee designated by the Director of Registration and Education, as provided in this Act, shall proceed to hearing of the charges and both the accused person and the complainant shall be accorded ample opportunity to present in person or by counsel, such statements, testimony, evidence and argument as may be pertinent to the charges or to any defense thereto. The Committee may continue a hearing from time to time. If the Committee is not sitting at the time and place fixed in the notice or at the time and place to which the hearing has been continued, the Department shall continue the hearing for not more than 30 days. (Added by act approved May 4, 1967.)

Sec. 13-a. [Subpoena of witnesses — Oaths.]

The Department shall have power to subpoena and bring before it any person in this State and to take testimony either orally or by deposition, or both, with the same fees and mileage and in the same manner as prescribed by law in judicial procedure in civil cases in courts of this State.

The Director, Assistant Director, Superintendent of Registration and any member of the Examining Committee shall each have power to administer oaths to witnesses at any hearing which the Department is authorized by law to conduct, and any other oaths required or authorized in any Act administered by the Department. (Added by act approved July 8, 1937.)

Sec. 13-b. [Procedure to compel attendance of witnesses.] Any circuit court or any judge thereof, upon the application of the accused per-

son or complainant or of the Department, may by order duly entered, require the attendance of witnesses and the production of relevant books and papers before the Department in any hearing relative to the application for or refusal, recall, suspension or revocation of certificate of registration, and the court or judge may compel obedience to its or his order by proceedings for contempt. (As amended by act approved Aug. 24, 1965.)

Sec. 13-c. [Record of proceeding.] The Department, at its expense, shall provide a stenographer to take down the testimony and preserve a record of all proceedings at the hearing of any case wherein a certificate is revoked or suspended. The notice of hearing, complaint and all other documents in the nature of pleadings and written motions filed in the proceedings, the transcript of testimony, the report of the Committee and the orders of the Department shall be the record of such proceedings. The Department shall furnish a transcript of such record to any person interested in such hearing upon payment therefor of twenty-five cents per one hundred words for each original transcript and eight cents per one hundred words for each carbon copy thereof ordered with the original: Provided that the charge for any part of such transcript ordered and paid for previous to the writing of the original record thereof shall be eight cents per hundred words. (Added by act approved July 8, 1937.)

Sec. 13-d. [Report of committee—Rehearing.] The committee shall present to the director its written report of its findings and recommendations. A copy of such report shall be served upon the accused person, either personally or by registered mail as provided in this Act for the service of the citation. Within twenty (20) days after such service, said accused person may present to the Department his motion in

writing for a rehearing, which written motion shall specify the particular grounds therefor. If said accused person shall order and pay for a transcript of the record as provided in this section, the time elapsing thereafter and before such transcript is ready for delivery to him shall not be counted as part of such twenty days.

Whenever the Director is satisfied that substantial justice has not been done, he may order a rehearing by the same or another special committee or, if satisfied that sufficient grounds for refusal to issue, or for suspension or revocation do not exist, may order the complaint dismissed. At the expiration of the time specified for filing a motion for a rehearing the Director shall have the right to take the action recommended by the committee. Upon the suspension or revocation of his certificate of registration, a registrant shall be required to surrender his certificate of registration to the Department, and upon his failure or refusal so to do, the Department shall have the right to seize the same. (Added by act approved July 8, 1937.)

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Such proceedings for judicial review shall be commenced in the circuit court of the county in which the party applying for review resides; provided, that if such party is not a resident of this State, the venue shall be in Sangamon County.

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acts and to enjoin the further construction of any building for which such person has prepared the plans. Upon the filing of a verified petition in such cause, the court, if satisfied by affidavit or otherwise that such person is or has been practicing architecture in violation of this Act, may issue a temporary injunction without notice or bond, enjoining the defendant or defendants from further practicing architecture or continuing the construction of the building, or both, and further enjoining the construction of any building or structure where the plans, specifications, design or drawings have been prepared by a person practicing architecture in violation of this Act.

If it is established that a defendant has been or is practicing architecture without a valid, effective certificate of registration, the court may enter a decree perpetually enjoining the defendant from further practicing architecture. In case of violation of any injunction issued under the provisions of this section, the court may summarily try and punish the offender for contempt of court. Such injunction proceedings shall be in addition to and not in lieu of all penalties and other remedies provided in this Act. (Added by act approved July 11, 1957.)

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(b) the making of any wilfully false oath or affirmation in any matter or proceeding where an oath or affirmation is required by this Act;

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(d) the violation of any provision of this Act;

(e) using or attempting to use an expired or revoked certificate of registration;

All fines and penalties shall inure to the county in which the violation occurs. (As amended by act approved July 11, 1957.)

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(39323—1500—3-72)

